RECORDS

VOL. 62

METROPOLITAN
DISTRICT
COMMISSION

AUG. 21, 1997
TO
APR. 30, 1998

Record of the Three Thousand Eight Hundred and Twenty Second (3822nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 21, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on July 31, 1997 were read and approved.

The Secretary submitted the following paper which was signed by the Commissioner and four Associate Commissioners:

Second Amendment, dated August 21, 1997, to the Memorandum of Agreement among the Executive Office of Environmental Affairs (EOEA), the Executive Office Transportation and Construction (EOTC), the Massachusetts Highway Department (MHD) and the Metropolitan District Commission (MDC), for the Charles River Parks Project.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Miss Overton and Messrs. Faucher and Abounaja, August 7, requesting approval and execution of Amendment No. 1 to Contract No. P95-1768-D3A, with Coneco Environmental Corp., for Licensed Site Professional Services for Various MDC Facilities, in order to complete the negotiated Scope of Work, at a cost of $50,511.00, for the following sites -
Site #1 - Draw Seven Park, Somerville - EOEA #1494
Site #2 - MDC Marine Garage, Beverly St., Boston - EOEA #1336
Site #3 - MDC Garage, 620 Ocean Ave., Revere - EOEA #125
Site #4 - MDC Stables Building, One Land - EOEA #925
Boulevard, Cambridge
Account No. 2490-8910.
The Amendment did not arrive in time to be executed by the Commission. Therefore, the Commission V O T E D: to authorize Commissioner Balfour to execute the document on its behalf.

2. Report of Mr. Faucher, August 11, requesting approval of a License Agreement with the Town of Hull for placement of the George's Island Waterline Backflow Preventor on Town property and further, that the Division be allowed to repave the parking area adjacent to the High School under Contract No. P96-1863-C1A, with D & R General Contractor, Inc./MDR Construction Company, Inc. Mr. Faucher further requests authorization for Commissioner Balfour to execute the License Agreement on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the License Agreement on behalf of the Commission.

3. Report of Messrs. Faucher and Brooks, August 7, requesting approval of the request of Multitemp Mechanical Corporation,

Contractor on Contract No. P97-1906-C1A, for Replacement of Dehumidifiers at Reilly Rink, Brighton, Shea Rink, Quincy, Bryan Rink, West Roxbury and Murphy Rink, South Boston, to engage the services of Apex Corporation, as sub-contractor for sheet metal work, at a value of $59,000.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

1. Report of Mr. Faucher and Miss Peterson, June 30, recommending the following on Contract No. P82-1054-C1A, with The Middlesex Corporation, for Repair of Charles Circle Bridges #57A and #57B, Boston -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Estimate No. 16 (Final), in the amount of $56,270.31, be approved for payment.
(c) That reserve, in the amount of $92,544.46, be approved for payment.
(Basis of Award - $1,887,754.00)
(Amount to Date - $1,850,889.02)
(Contract Performance Rating - 3.00)
(EEO Compliance - 4.17)
The Commission V O T E D: that the work of The Middlesex Corporation, Contractor under Contract No. P82-1054-C1A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Estimate No. 16 (Final), in the amount of $56,270.31, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $92,544.46, for payment.

2. Report of Messrs. Faucher and Abounaja, August 12, requesting that the Commission amend its vote of August 7, 1997, awarding Contract No. P95-1789-C2A, for Contaminated Site Clean-up at Indian Line Farm, Canton, to Triumvirate Environmental, Inc., with the lowest bid received, of $311,752.50 by correcting to read $312,502.50. Triumvirate Environmental, Inc. remains the low bidder and all other terms of the Division's recommendation remain unchanged.
The Commission V O T E D: to amend its vote of August 7, 1997, awarding Contract No. P95-1789-C2A, for Contaminated Site Clean-up at Indian Line Farm, Canton, to Triumvirate Environmental, Inc., with the lowest bid received, of $311,752.50 by correcting to read $312,502.50. Triumvirate Environmental, Inc. remains the low bidder and all other terms of the Division's recommendation remain unchanged.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

3. Report of Messrs. Faucher, Carrigan and Machado, August 11, recommending approval of revisions in quantities on following items on Contract No. P96-1863-C1A, with D & R General Contracting, for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan District, as follows -

Item No. 007-010 - Bituminous Concrete	-	$38,250.00
Item No. 010-010 - Granite E.S. R & R	-	$ 2,700.00
Item No. 012-010 - Granite E.S. Curved	-	$ 1,900.00
	Total =	$42,850.00.

(At no increase in cost as the revisions will be offset by unused quantities in Item No. 002-010 - Cold Planing and Item No. 021-010 - Traffic Control Services).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Lespasio and Mrs. O'Brien, August 14, recommending approval of a revision in quantities on Item No. 039-050 - Light Fixture, Type A - $440.00, on Contract No. PL82-1022-C1A, with R. H. D. Construction Company, Inc., for Revere Landing Park.
(At no increase in cost as the revision will be offset by unused quantities in Item No. 040-020 - Traffic Control Services).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Lenhardt, August 14, recommending approval of a revision in quantities on Item No. 4 - Expansion Joint Replacement (Asphaltic Plug Type) - $3,000.00, on Contract No. P93-1675-C1A, with SPS New England, Inc., for B. U. Bridge Joint/Deck Repair.
Account No. 2490-0017.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Jackson, August 14, requesting approval of a revision in quantities on Item No. 000-009 - New Seeded Lawn - $3,670.00, on Contract No. P97-1875-C1A, with Ledgewood Construction Co., Inc., for Reconstruction of John H. Dooley Playground, Hyde Park.
Account No. 2440-8952.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Jackson, August 14, requesting Commission acceptance of a credit of $900.00, for elimination of grass seeding on Contract No. P97-1888-C1A, with West Princeton Corporation, for Reconstruction of the 13th Tee at Ponkapoag Golf Course, Canton.
(It was decided to substitute sod in place of seeding under an additional services Contract).
The Commission V O T E D: to accept a credit to the Commission, in the amount of $900.00, for elimination of grass seeding on Contract No. P97-1888-C1A, with West Princeton Corporation, for Reconstruction of the 13th Tee at Ponkapoag Golf Course, Canton.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

5. Report of Messrs. Faucher, Brooks and DeLuca, August 11, requesting approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. P97-1885-C1A, with Allied Weatherproofing Company, Inc., for Rehabilitation of the Main Pools and Installation of New Filtration and Water Treatment Systems at the Malden (Holland) and Everett (Allied Vets) Pool -

Item No. 002-004 - Trench Excavation and Backfill	-	$10,710.00
Item No. 002-010 - Core Drilling 12" Diameter Hole in C.C.	-	$ 300.00
Item No. 011-013 - 10" PVC Sch 80 Pipe	-	$ 3,630.00
Item No. 011-016 - 10" DI Pipe	-	$ 510.00
	Total =	$15,150.00.

Funding from Account No. 2440-0110.
The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in revisions in quantities, on Contract No. P97-1885-C1A.
The Commission further V O T E D: to approve the revisions in quantities in the amount of $15,150.00.

1. Report of Messrs. Faucher and Sacco, August 6, recommending approval of an extension of time from August 9, 1997 to September 9, 1997, on Contract No. P97-1890-C1A, with South Shore Paving Corp., for Winthrop Seawalls Repairs.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from August 9, 1997 to September 9, 1997, on Contract No. P97-1890-C1A, as recommended by Messrs. Faucher and Sacco in their report of August 6, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Brooks and DeLuca, August 19, recommending that the Commission ratify the action of Acting Director Faucher resulting in Extra Work Order No. 1, for repairs to existing cement concrete pool bottom expansion joints at the Malden (Holland), Brighton (Reilly) and Somerville (Dilboy) Pools - at a cost of $5,074.98, on Contract No. P97-1886-C1A, with Thompson Waterproofing, Inc., for Critical Repairs to Swimming Pools and Service Buildings.
(At no increase in Contract cost as the Extra Work Order will be offset by unused quantities in Item No. 1 - Joint Replacement (Horizontal), Item No. 2 - Joint Replacement (Vertical) and Item No. 4 - Gravel Borrow).
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P97-1886-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $5,074.98.

3. Report of Messrs. Faucher, Brooks and DeLuca, August 19, recommending that the Commission ratify the action of Acting Director Faucher resulting in Extra Work Order No. 2, for compacting the existing sub-base material in preparation for installation of the specified new cement concrete pool bottom at the Brighton/Allston Memorial Pool - at a cost of $5,337.91, on Contract No. P97-1886-C1A, with Thompson Waterproofing, Inc., for Critical Repairs to Swimming Pools and Service Buildings and Service Buildings.
(At no increase in Contract cost as the Extra Work Order will be offset by unused quantities in Item No. 1 - Joint Replacement (Horizontal), Item No. 2 - Joint Replacement (Vertical) and Item No. 4 - Gravel Borrow).
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 2, on Contract No. P97-1886-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $5,337.91.

1. Report of Messrs. Faucher and Sacco, July 25, recommending the following on Contract No. P94-1741-M1A, with Brewster Electrical Co., for Maintenance of Mechanical/Electrical Systems on General Edwards Bridge, Revere - Lynn -
(a) That work be accepted as completed as of March 5, 1997.
(b) That Estimate No. 6 (Final), in the amount of $4,652.55, be approved for payment.
(c) That reserve, in the amount of $5,763.15, be approved for payment.
(Basis of Award - $59,825.00)
(Amount to Date - $58,639.50)
(Contract Performance Rating - 3.50)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Brewster Electrical Co., Contractor under Contract No. P94-1741-M1A, be and hereby is accepted as completed as of March 5, 1997.
The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of $4,652.55, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,763.15, for payment.

2. Report of Messrs. Faucher, Brooks and Kane, August 13, requesting that the only bid received, that of General Air Conditioning & Heating, Inc., of $197, 500.00, for Project No. P97-1914-C2A - Waiting Room Rehabilitation in Hull, be rejected as it was considerably higher that the Engineer's estimate and permission be granted to readvertise the project).
Estimated Cost - $135,000.00.
Account No. 2440-8963.
The Commission V O T E D: to reject the only bid received, that of General Air Conditioning & Heating, Inc. of $197,500.00, on Contract No. P97-1914-C2A, as recommended by Messrs. Faucher, Brooks and Kane in their report of August 13, 1997.
The Commission further V O T E D: permission to readvertise the project.

3. Report of Messrs. Faucher and Sacco, August 11, recommending the following on Contract No. P96-1842-C1B, with Allied Weatherproofing Co., Inc., for Critical Repairs to MDC Swimming Pools and Service Buildings at Various Locations -
(a) That work be accepted as completed as of April 30, 1997.
(b) That Estimate No. 2 (Final), in the amount of $55,351.66, be approved for payment.
(c) That reserve, in the amount of $7,096.69, be approved for payment.
(Basis of Award - $149,000.00)
(Amount to Date - $141,933.71)
(Contract Performance Rating - 81 with 100 being excellent)
(EEO Compliance - 2.33)
The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., Contractor under Contract No. P96-1842-C1B, be and hereby is accepted as completed as of April 30, 1997.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $55,351.66, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of $7,096.69, for payment.

1. Report of Messrs. Faucher and Haider, June 30, recommending the following on Contract No. P96-1844-M1A, with Construction Divers, Inc., for Service to Underwater Structures at Various Flood Control/Navigational Sites at Various Locations -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Estimate No. 6 (Final), in the amount of $14,259.54, be approved for payment.
(c) That reserve, in the amount of $2,164.51, be approved for payment.
(Basis of Award - $47,360.00)
(Amount to Date - $43,290.26)
(Contract Performance Rating - 4.00)
(EEO Compliance - 2.75)
The Commission V O T E D: that the work of Construction Divers, Inc., Contractor under Contract No. P96-1844-M1A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of $14,259.54, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,164.51, for payment.

2. Report of Messrs Faucher and Haider, August 15, recommending the following on Contract No. P96-1843-M1B, with Entwistle Company, Inc., for Service to Hydraulic Power Systems at Various Flood Control/Navigational Sites -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Estimate No. 4 (Final), in the amount of $11,786.77, be approved for payment.
(c) That reserve, in the amount of $1,070.73, be approved for payment.
(Basis of Award - $28,500.00)
(Amount to Date - $21,414.68)
(Contract Performance Rating - 3.80)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Entwistle Company, Inc., Contractor under Contract No. P96-1843-M1B, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $11,786.77, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,070.73, for payment.

3. Report of Messrs. Faucher and DeLuca, August 14, recommending the following on Contract No. P97-1886-C1A, with Thompson Waterproofing, Inc., for Critical Repairs to the Swimming Pools and Service Buildings within the Metropolitan District -
(a) That work be accepted as completed as of June 20, 1997.
(b) That Estimate No. 4 (Final), in the amount of $9,892.25, be approved for payment.
(c) That reserve, in the amount of $9,108.64, be approved for payment.
(Basis of Award - $242,350.00)

(Amount to Date - $182,172.89)
(Contract Performance Rating - 84 with 100 being excellent)
(EEO Compliance - 3.50)
The Commission V O T E D: that the work of Thompson Waterproofing, Inc., Contractor under Contract No. P97-1886-C1A, be and hereby is accepted as completed as of June 20, 1997.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $9,892.25, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $9,108.64, for payment.

1. Report of Messrs. Faucher and Woodyatt, August 6, recommending the following on Contract No. P97-1875-C1A, with Ledgewood Construction Co., for Reconstruction of the John H. Dooley Playground, Hyde Park -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Estimate No. 3 (Final), in the amount of $12,369.43, be approved for payment.
(c) That reserve, in the amount of $5,598.52, be approved for payment.
(Basis of Award - $109,155.00)
(Amount to Date - $111,970.45)
(Contract Performance Rating - 4.50)
(EEO Compliance - 4.67)
The Commission V O T E D: that the work of Ledgewood Construction Co., Contractor under Contract No. P97-1875-C1A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $12,369.43, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,598.52, for payment.

2. Report of Messrs. Faucher and Thurlow, June 30, recommending the following on Contract No. P97-1888-C1A, with West Princeton Corporation, for Reconstruction of the 13th Tee at Ponkapoag Golf Course, Canton -
(a) That work be accepted as completed as of June 29, 1997.
(b) That Estimate No. 2 (Final), in the amount of $20,372.94, be approved for payment.
(c) That reserve, in the amount of $2,785.71, be approved for payment.
(Basis of Award - $57,115.00)
(Amount to Date - $55,714.20)
(Contract Performance Rating - 4.50)
(EEO Compliance - 3.80.
The Commission V O T E D: that the work of West Princeton Corporation, Contractor under Contract No. P97-1888-C1A, be and hereby is accepted as completed as of June 29, 1997.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $20,372.94, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,785.71, for payment.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Miss Overton and Mr. Faucher, August 18, requesting that the Commission Amend its vote of September 26, 1996, approving and authorizing the advertising for proposals for an Environmental Study of the Alternative Pumping Schemes for Dewatering the Granite Rail Quarry, Quincy, by changing to read - the advertisement of a Quincy Quarry Feasibility Study which would investigate not only dewatering, but also filling and or capping the Quincy Quarries.
Miss Overton and Mr. Faucher further request approval to extend the time of study from twelve months to eighteen months.
Cost not-to-exceed - $100,000.00.
Funding from Account No. 2496-8968.
The Commission V O T E D: to Amend its vote of September 26, 1996, approving and authorizing the advertising for proposals for an Environmental Study of the Alternative Pumping Schemes for Dewatering the Granite Rail Quarry, Quincy, by changing to read - the advertisement of a Quincy Quarry Feasibility Study which would investigate not only dewatering, but also filling and or capping the Quincy Quarries.
The Commission further V O T E D: approval to extend the time of study from twelve months to eighteen months.

2. Report of Messrs. Faucher and Haider, August 13, recommending the following on Contract No. P96-1845-M1A, with Fallon Williams Service Co., for Maintenance and Repair to the HVAC Systems at Locks, Drawbridges, Pump Stations and Police Marine Station -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Estimate No. 7 (Final), in the amount of $9,741.82, be approved for payment.
(c) That reserve, in the amount of $2,617.50, be approved for payment.
(Basis of Award - $49,200.00)
(Amount to Date - $52,350.00)
(Contract Performance Rating - 90 with 100 being excellent)
(EEO Compliance - 1.60)
The Commission V O T E D: that the work of Fallon William Service Co., Contractor under Contract No. P96-1845-M1A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of $9,741.82, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,617.50, for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Kane, August 13, requesting approval of Amendment No. 2, for additional tasks at a cost of $16,200.00, and increase the upset limit from $55,000.00 to $71,200.00, on Contract No. WM94-003-D1A, with A. G. Lichtenstein & Associates, Inc., for Remedial Design for Public Safety Considerations, Beaman Street Bridge, West Boylston.
The Commission V O T E D: Approved.

1. Report of Messrs. McGinn and Kane, August 13, requesting approval of Amendment No. 2, for additional tasks at a cost of $16,200.00, and increase the upset limit from $55,000.00 to $71,200.00, on Contract No. WM94-003-D1A, with A. G. Lichtenstein & Associates, Inc., for Remedial Design for Public Safety Considerations, Beaman Street Bridge, West Boylston.
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Kane, August 13, recommending approval of Extra Work Order No. 1 - for upgrading the electrical systems - at a cost of $14,104.89, on Contract No. WM94-008-C1A, with S.J.V. Electric, Inc., to Furnish and Install Emergency Electrical Generation and Associated Work at the Quabbin Administration Complex.
Funding from Account No. 2420-1400.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $14,104.89.

3. Report of Messrs. McGinn and Vignaly, July 7, recommending that work be accepted as completed as of June 30, 1997, on Contract No. WM97-030-X1A, with the U.S. Dept. of Agriculture - Animal Damage Control, for Gull Control at Cunningham Ledge, Wachusett Reservoir.
(Basis of Award - $3,460.00)
(Amount to Date - $3,460.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of the U.S. Dept. of Agriculture - Animal Damage Control, be and hereby is accepted as completed as of June 30, 1997.

4. Report of Messrs. McGinn and Robert O'Connor, August 5, recommending the following on Contract No. WM97-080-S1A, with New England Small Farm Institute, for Smart Wood Program -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Final Invoice 2, in the amount of $9,500.00, be approved for payment.
(Basis of Award - $32,000.00)
(Amount to Date - $31,964.57)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of New England Small Farm Institute, Contractor under Contract No. WM97-080-S1A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Final Invoice 2, in the amount of $9,500.00, for payment.

Action was taken upon the following matter relating to the Office of Planning:

5. Report of Mrs. O'Brien and Mr. Driscoll, August 11, recommending approval and execution of Amendment No. 1 - for an increase of $40,000.00 - for mechanical weed harvesting and hand pulling of water chestnuts, on Contract No. PL96-040-D1A, with Aquatic

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Control Technology, Inc., for Mechanical Weed Harvesting Program - 1997, Charles River Lakes District - Newton, Waltham and Weston.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated August 21, 1997, to Contract No. PL96-040-D1A, with Aquatic Control Technology, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matter:

1. Report of Miss Overton and Mr. Gray, August 20, requesting approval of an Administrative Consent Order with the Department of Environmental Protection (DEP) regarding the remediation of the MDC landfills located off Riccuiti Drive in the City of Quincy, situated within the Quarry Hills section of the MDC Blue Hills Reservation, and further requesting that the Commission authorize the Commissioner to execute the Administrative Consent Order on behalf of the Commission once said order is finalized.
The Commission V O T E D: to approve an Administrative Consent Order with the Department of Environmental Protection (DEP) regarding the remediation of the MDC landfills located off Riccuiti Drive in the City of Quincy, situated within the Quarry Hills section of the MDC Blue Hills Reservation, as requested by Miss Overton and Mr. Gray in their report of August 20, 1997.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Administrative Consent Order on behalf of the Commission once said order is finalized.

Adjourned at 10:30 a.m., to meet on Thursday, August 28, 1997, at 9:00 a.m.

William F. Creedon
Secretary

Record of the Three Thousand Eight Hundred and Twenty Third (3823rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 28, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on August 7, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P97-1916-M1A, dated August 28, 1997, with P.J. Kennedy & Sons, Inc., for Servicing of HVAC Systems at Various MDC Facilities within the Metropolitan Parks Systems.

2. First Amendment, dated August 28, 1997, to Contract-Agreement No. WM95-056-C1A, with Fugro/ENSR, for Bioengineered Erosion Control.

3. Contract No. WM97-084-C1B, dated August 28, 1997, with South Shore Fence Co., Inc., for North Dike Fencing - Wachusett Reservoir, Clinton.

4. Contract No. PL92-017-C2A, dated August 28, 1997, with D & C Waterline Industries/Norwell Equipment Co., Inc./D & C Construction Co., Inc./D & C Realty Trust, for Upper Charles River Reservation Restoration - Phase 1B - Newton Waltham.

5. Amendment, dated August 28, 1997, to Contract-Agreement No. WM96-017-S1A, with the University of Massachusetts - Amherst, for Contaminant Transport Modeling and the Impact of Watershed Management Activities on Water Quality in Quabbin Reservoir - Phase II.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher and Mayhew, June 30, recommending the following on Contract No. P97-1891-C1A, with Tar-Vel Roofing Co., Inc., for Installation of New Roofs at the William Daly Rink, Newton and Alexander Bajko Rink, Hyde Park -

(a) That work be accepted as completed as of July 25, 1997.
(b) That Estimate No. 2 (Final), in the amount of $6,270.00, be approved for payment.
(c) That reserve, in the amount of $5,550.00, be approved for payment.

(Basis of Award - $111,000.00)
(Amount to Date - $111,000.00)
(Contract Performance Rating - 82 with 100 being excellent)
(EEO Compliance - 5.00)

The Commission V O T E D: that the work of Tar-Vel Roofing Co., Inc., Contractor under Contract No. P97-1891-C1A, be and hereby is accepted as completed as of July 25, 1997.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $6,270.00, for payment.
The Commission further V O T E D: to approve releases of reserve, in the amount of $5,550.00, be approved for payment.

1. Report of Messrs. Faucher, Brooks and Mayhew, August 20, requesting that the Commission amend its vote of August 7, 1997, by rejecting the corrected low bid of D'Allesandro Corporation, on Contract No. PL92-017-C2A, for Upper Charles River Restoration Phase 1B - Newton, Waltham, which would have moved this firm from fifth place to first place in order of bidders, due to the fact that the firm failed to include in their bid a unit price cost for Item No. 02100 - Site Preparation and Demolition.
The Commission V O T E D: to amend its vote of August 7, 1997, by rejecting the corrected low bid of D'Allesandro Corporation, on Contract No. PL92-017-C2A, for Upper Charles River Restoration Phase 1B - Newton, Waltham, due to the fact that the firm failed to include in their bid a unit price cost for Item No. 02100 - Site Preparation and Demolition.

2. Report of Messrs. Faucher and DiPietro, August 19, requesting that the Commission amend its vote of August 7, 1997, by correcting the approval of payment of the Final Invoice to read $7,228.80 rather than $8,032.00, on Contract No. P87-1449-M5A, Inchape/Woods Hole Group, for Water Quality Testing at MDC Recreational Waters.
(All other provisions of the vote remain unchanged).
The Commission V O T E D: to amend its vote of August 7, 1997, by correcting the approval of payment of the Final Invoice to read $7,228.80 rather than $8,032.00, on Contract No. P87-1449-M5A, Inchape/Woods Hole Group, for Water Quality Testing at MDC Recreational Waters. All other provisions of the vote remain unchanged.

3. Report of Messrs. Faucher and Sacco, July 22, recommending the following on Contract No. P82-1128-C2A, with John J. Paonessa Co., Inc., for Rehabilitation of Mystic Valley Parkway and a Portion of South Border Road, Winchester -
(a) That work be accepted as completed as of May 31, 1997.
(b) That Estimate No. 14 (Final), in the amount of $15,280.15, be approved for payment.
(c) That reserve, in the amount of $80,413.57, be approved for payment.
(Basis of Award - $5,870,627.25)
(Amount to Date - $5,608,271.29)
(Contract Performance Rating - 3.83)
(EEO Compliance - 4.17)
The Commission V O T E D: that the work of John J. Paonessa, Contractor under Contract No. P82-1128-C2A, be and hereby is accepted as completed as of May 31, 1997.
The Commission further V O T E D: to approve Estimate No. 14 (Final), in the amount of $15,280.15, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $80,413.57, for payment.

1. Report of Messrs. Faucher and Jackson, August 22, recommending the following on Contract No. P93-1668-X2A, with The Halvorson Company, for Professional Landscape Architectural Services -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Estimate No. 13 (Final), in the amount of $25,130.04, be approved for payment.
(c) That reserve, in the amount of $9,636.85, be approved for payment.

(Basis of Award - $150,000.00)
(Amount to Date - $ 96,368.48)
(Contract Performance Rating - 6.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of The Halvorson Company, Contractor under Contract No. P93-1668-X2A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Estimate No. 13 (Final), in the amount of $25,130.04, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $9,636.85, for payment.

2. Report of Messrs. Faucher and Jackson, August 20, requesting approval and execution of Amendment for an extension of time from August 31, 1997 to December 30, 1998, on Contract No. P95-1761-D1A, with Rojas Associates, Inc., for Playground Design Services - Four Sites and to engage the services of Northeast Aquatic Design, Inc., as sub-consultant for design of a new spray pool at Richard T. Artesani Playground in Brighton, at a cost of $17,164.97.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated August 28, 1997, to Contract No. P95-1761-D1A, with Rojas Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. Faucher and Sacco, July 28, recommending approval of the following on Contract No. P85-1341-C1A, with John J. Paonessa Co., Inc., for Rehabilitation of Lynn Shore Drive, Lynn -

Extra Work Order No. 3	- Removal of Overhead Sign.	- $ 3,098.97
Extra Work Order No. 4	- Replacement of Stairway No. 9 at Wave Street	- $44,160.29
Extra Work Order No. 5	- Remove and Reconstruct a Stone Masonry Wall	- $14,055.57
Alteration No. 7	- Construct an Additional Step at Woodbury Point	- $ 1,794.11

(At No increase in Contract cost as the Extra Work and Alteration will be offset by the deletion of Item No. 025-010 and unused quantities in Item No. 012-040 - Permanent Trench Patch).
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of $3,098.97.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $44,160.29.

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The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $14,055.57.
The Commission further V O T E D: to approve Alteration No. 7, in the amount of $1,794.11.

1. Report of Messrs. Faucher and Abounaja, August 5, recommending the following on Contract No. P95-1789-C1A, with Zenone, Inc., for Contaminated Site Clean-up at Various MDC Facilities -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Estimate No. 5 (Final), in the amount of $45,859.45, be approved for payment.
(c) That reserve, in the amount of $41,177.58, be approved for payment.

(Basis of Award - $679,205.00)
(Amount to Date - $823,551.64)
(Contract Performance Rating - 3.67)
(EEO Compliance - 3.60)

The Commission V O T E D: that the work of Zenone, Inc., Contractor under Contract No. P95-1789-C1A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $45,859.45, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $41,177.58, for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. McGinn and Ms. Carr, June 25, recommending that work be accepted as completed as of June 30, 1997, on Contract No. WM96-077-X1A, with Clean Harbors Environmental, Inc., for Wachusett Region Household Hazardous Waste Collection.

(Basis of Award - $40,000.00)
(Amount to Date - $10,149.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Clean Harbors Environmental, Inc., Contractor under Contract No. WM96-077-X1A, be and hereby is accepted as completed as of June 30, 1997.

3. Report of Mr. Pula, August 18, requesting approval and authorization to advertise project to install back flow preventing devices to the water supply system at the Quabbin Administration Complex and to evaluate water supply and sprinkler systems.
Estimated Cost - $10,000.00.
Time for Performance - three months.
Account No. 2420-1400-NN.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise project to install back flow preventing devices to the water supply system at the Quabbin Administration Complex and to evaluate water supply and sprinkler systems.

4. Report of Messrs. McGinn and Baratta, August 14, requesting

approval to revise the levels of effort in Minority Business Enterprise and Women Business Enterprise participation on Contract No. WM95-061-C1A, with Roads Corporation for Fast Track Sewers - West Boylston and Holden, as follows -

Minority Business Enterprise

Don Martin Corporation	- Paving	- $367,775.17	- 5.7%
Alonso Construction	- Sewer	- $ 73,470.00	- 1.1%
Daisy Electric	- Pump Station and Electrical	- $270,000.00	- 4.2%
		Total = $711,245.17	**- 11.0%**

Women Business Enterprise

Patriot Excavation Drilling and Blasting	- Excavation, Drilling and Blasting	- $408,050.00	- 6.3%
		Total = $408,050.00	**- 6.3%**

The Commission V O T E D: Approved as requested by Messrs. McGinn and Baratta in their report of August 14, 1997.

Action was taken upon the following matter relating to Recreational Facilities and Programs Division:

1. Report of Mr. Doak, August 19, recommending that the concession permit fee, for M.G.L., Inc., for the 1996-1997 season at the Quincy Rink, be reduced by the amount of $442.56 resulting in a $85.00 credit to the concessionaire, due the cost of repairs he made to the facility.
The Commission V O T E D: Approved as recommended by Mr. Doak in his report of August 19, 1997.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, August 22, recommending that the Commission adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 2.87 acres of land owned by Richard P. Gadilauskas, et al, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $53,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 2.87 acres of land owned by Richard P. Gadilauskas, et al, located in the Town of Sterling, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 28, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated on the southwesterly side of Upper North Row Road, in the said Town of Sterling, more particularly bounded and described as follows:

Beginning at the northeasterly corner of the parcel herein being described, at a drill hole in the stone wall delineating the southwesterly line of Upper North Row Road, said point being the northwesterly corner of Lot 4, as depicted upon the recorded survey plan referenced at the conclusion of this description, said Lot 4 being land, now or formerly, of James and Wendy Merrill;

Thence S. 67° 36′ 00" W., 486.78 feet, by Lot 4, land, now or formerly, of Merrill, to the iron rod marking the southwesterly corner of Lot 4 and the

northernmost point of Parcel "A", land, now or formerly, of James A. & Donna Lee Reusch;

Thence S. 76° 18′ 06" W., 197.84 feet, by Parcel "A", land, now or formerly, of Reusch, to an iron pin marking the northeasterly corner of Lot 2, other land, now or formerly, of Richard Gadilauskas & Nancy E. Brady;

Thence On the same bearing, 125.86 feet, to the iron pin marking the southeasterly corner of the parcel herein being described;

Thence N. 21° 53′ 11" W., 129.00 feet, to a drill hole in the stone wall delineating the southeasterly line of the "Goodell Lot", property formerly of John V. Blanchard, now of the Commonwealth of Massachusetts, Metropolitan District Commission, the last two courses being by Lot 2, other land, now or formerly, of Gadilauskas & Brady;

Thence N. 68° 06′ 49" E., 39.38 feet, by the stone wall, to a point;

Thence N. 68° 31′ 36" E., 183.88 feet, by the stone wall, to a point;

Thence N. 69° 18′ 09" E., 58.87 feet, by the stone wall, to a point;

Thence N. 68° 08′ 08" E., 468.89 feet, by and through the stone wall, to a drill hole in the stone wall marking the southwesterly line of Upper North Row Road, the last four courses being by land of the Commonwealth;

Thence S. 31° 29′ 18" E., 82.51 feet, by the stone wall segments and the southwesterly line of the road, to a drill hole;

Thence S. 42° 18′ 26" E., 66.07 feet, by the wall and the line of the road, to another drill hole;

Thence S. 59° 55′ 15" E., 31.42 feet, by the wall and the line of the road, to the first mentioned drill hole, being the point and place of beginning.

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Containing 2.87 acres, more or less, as shown as Lot 3 upon a recorded survey plan entitled "Land In Sterling, Mass. Surveyed For Reusch Brothers Realty Trust", dated January 1981, prepared by Charles A. Perkins Co. Inc., and recorded with Worcester District Registry of Deeds as Plan 53 in Plan Book 484.

Also expressly taken herein and hereby is the right to enter and leave the above described premises by way of a 25 foot wide right of way crossing the northwesterly edge of Lot 2 as shown upon the above referenced survey plan, and as reserved, for access and egress to and from Lot 3, in a deed from James A. Reusch and Bruce P. Reusch, Trustees of Reusch Brothers Realty Trust, to Richard P. Gadilauskas, dated October 8, 1982, and recorded with said Deeds at Book 7584, Page 254.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Upper North Row Road which may be held by the supposed owners, as a result of their ownership of the above described property, and being the same premises described in a deed from James A. Reusch & Bruce P. Reusch, Trustees of Reusch Brothers Realty Trust to Richard P. Gadilauskas & Nancy E. Brady, dated September 13, 1983 and recorded with Worcester District Registry of Deeds at Book 7917, Page 11.

The above described property is represented upon Sterling Assessors Tax Map 32 as Parcel 4-3.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Richard P. Gadilauskas and Nancy E. Brady	$ 53,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $53,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 22, recommending that the Commission adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 4.3 acres of land owned by Robert E. Goodnow, et ux, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 4.3 acres of land owned by Robert E. Goodnow, et ux, located in the Town of West Boylston, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 28, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Worcester Street in the said Town of West Boylston, more particularly bounded and described as follows:

Beginning at a point in the easterly line of Worcester Street, at the southwesterly corner of the parcel herein being described, said point being located N. 0° 54′ 10" E, 37.79 feet from a Worcester County Highway bound in the easterly line of said highway at land, formerly of one Hartwell, now or formerly, of Luke H. Richards, Jr. & Anne M. Robichaud;

Thence S. 79° 56′ E., 105.68 feet, by land, now or formerly, of the aforesaid Richards & Robichaud, to an iron pipe, at land, formerly of one Carrie L. Pierce, now or formerly, of John J. & Linda McManus;

Thence S. 43° 36′ E., 476.02 feet, partially by land, now or formerly, of the aforesaid McManus, and partially by land, now or formerly, of Bradford S. & G. Ruth Rawson, to a point;

Thence N. 87° 20′ 50" E., 200.00 feet, by lands, now or formerly, of the aforesaid Rawson, to a point in the westerly line of Maple Street, said point being the northeasterly corner of land, now or formerly, of Rawson;

Thence Northerly by the westerly line of Maple Street and a curve to the right with a radius of 5550.66 feet, an arc distance of 155.50 feet, to a point at land, formerly of one Foster, now or formerly, of Kalevi A. Hyyrynen, said point being located 99.16 feet southerly of the Worcester County Highway bound marking the northerly terminus of the above referenced curve;

Thence S. 62° 36′ W., 54.37 feet, partially by a stone wall, to a point therein;

Thence S. 50° 33′ W., 10.66 feet, by the wall, to another point therein;

Thence S. 31° 05′ W., 41.84 feet, by the wall, to another point at or near its terminus;

Thence N. 49° 28′ W., 229.40 feet, by a fence line, to a point;

Thence N. 47° 49′ 20" W., 252.62 feet, by the fence line, to a point;

Thence N. 13° 33′ 30" W., 66.11 feet, to a point in the southerly end of a stone wall, the last six courses being by land, now or formerly, of the aforesaid Hyyrynen;

Thence N. 11° 51′ 30" W., 312.60 feet, by the stone wall, partially by land, now or formerly, of Hyyrynen, partially by land, now or formerly, of Richard J. & Rodella A. Hebert, and partially by land, now or formerly, of Piro N. & Elizabeth A. Spiro, to a point in the stone wall, at other land, now or formerly, of Robert E. & Judith A. Goodnow, said point being located S. 10° 88′ E., 70.77 feet from the drill hole at the northerly end of the wall;

Thence Southwesterly, by the remaining land, now or formerly, of Goodnow, in a straight line, 260 feet to a Worcester County Highway bound in the easterly line of Worcester Street;

Thence S. 0° 54′ 10" E., by the easterly line of Worcester Street, 405.81 feet, to the point and place of beginning.

Containing 4.3 acres, more or less, by estimation, and being the southerly parcel shown upon a plan entitled "Plan Of Land In West Boylston Mass. Owned By Goodnow Et Al", dated August 6, 1953, and prepared by Francis B. Thompson, C.E., a reduced copy of which plan is attached to this order as "Exhibit A" and made a part thereof.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Worcester Street and/or Maple Street which may be held by the supposed owners, as a result of their ownership of the above described property, and being the southerly portion of the same premises described in a deed from Barbara H. Simpson to Robert E. Goodnow and Judith A. Goodnow, dated July 23, 1975 and recorded with Worcester District Registry of Deeds in Book 5771, Page 199.

The above described property is represented upon West Boylston Assessors Tax Map 158 as the southerly portion of Parcel 30.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Robert E. Goodnow and Judith A. Goodnow	$ 50,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 22, recommending that the Commission adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 68.24 acres of land owned by Herbert A. Nelson, located in the Towns of Sterling and Princeton, Massachusetts, and to approve an award of damages in the amount of $680,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 68.24 acres of land owned by Herbert A. Nelson, located in the Towns of Sterling and Princeton, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 28, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Sterling and Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Two (2) certain parcels of land bounded and described as follows:

TRACT I. A certain tract of land situated in the westerly part of Sterling, Worcester County, Commonwealth of Massachusetts, and containing forty-three (43) acres and thirty-nine (39) rods, more or less, and being bounded and described as follows:

BEGINNING at the northerly corner thereof by the old North County Road;

THENCE South 36° West, by the dividing line between said Sterling and the Town of Princeton, eighty-two (82) rods to a corner;

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THENCE South 67 1/2° East, thirty-five (35) rods and ten (10) links to an angle;

THENCE North 65 1/2° East, sixteen (16) rods and eighteen (18) links to an angle;

THENCE South 83° East, twenty-six (26) rods to a pond;

THENCE by said pond seven (7) rods and seven (7) links on said pond;

THENCE North 67 1/2° East, twenty-four (24) rods and sixteen (16) links to an angle;

THENCE South 22° East, five (5) rods to an angle;

THENCE North 61° East, twelve (12) rods and six (6) links to an angle;

THENCE North 31° East, fifteen (15) rods and fifteen (15) links to an angle;

THENCE North 18° East, ten (10) rods and ten (10) links to an angle;

THENCE North 17° West, ten (10) rods to an angle;

THENCE North 28° East, ten (10) rods to said old North County Road;

THENCE by said road in a westerly direction, ninety-two (92) rods to the place of beginning.

Excepting therefrom a parcel containing approximately 1.2 acres, as described in a deed from Herbert C. Nelson to Herman W. Nelson, et ux, dated September 18, 1987, and recorded with the Worcester District Registry of Deeds in Book 10810, Page 331.

TRACT II. A certain tract of land situated in the northeasterly part of the Town of Princeton, Worcester County, Commonwealth of Massachusetts, and bounded and described as follows:

BEGINNING at the northeasterly corner on the Princeton Town Line, at a stake and stones;

THENCE running westerly by three (3) rods and twenty (20) links to stones;

THENCE North 80° West, fifty-seven and one-half (57 1/2) rods to a stake and stones;

THENCE South 32° West, sixty-two (62) rods to a stake and stones;

THENCE South 62° East, fifty-eight and one-half (58 1/2) rods by land now or formerly of Benjamin Stuart to a stake and stones on the Princeton Town Line;

THENCE North 31° East, on said Town Line eighty (80) rods and fifteen (15) links to the place of beginning.

Containing twenty-six (26) acres of land, more or less.

The above two tracts are described as Tracts I and II and comprise a portion of the property conveyed by deed from Herbert C. Nelson to Herbert A. Nelson, said deed dated March 11, 1996, and recorded with said Deeds in Book 17755, Page 340. Said tracts are further represented, respectively, as Parcel 4 on Map X29 of the Sterling Assessors Tax Maps, and Parcel 47 on Map 5 of the Princeton Assessors Tax Maps.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in and to the old North County Road, also known as Lucas Road, and any and all interest in and to the pond known as Stuart's Pond, which may be held by the supposed owner.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Herbert A. Nelson	$ 680,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $680,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 22, recommending that the Commission adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 23.15 acres of land owned by William F. McNamara, et al, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $350,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 23.15 acres of land owned by William F. McNamara, et al, located in the Town of Sterling, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 28, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain contiguous parcels of land lying on the southerly side of Mortimer Road, and off of the southerly side of said road, in the Town of Sterling, more particularly bounded and described as follows:

Parcel 1.

Beginning at an iron pipe at a point in the southerly line of Mortimer Road, at land, formerly of Abraham Sorbelli, now or formerly, of John P. & Ellen M. Hehir, said point being at the northwesterly corner of the parcel herein being described;

Thence S. 77° 23' 00" E., 1100.63 feet, by the southerly line of the road, to a point at land, formerly of Isodore Trudeau, now or formerly, of Sharon A. Staz;

Thence S. 09° 16′ 30" W., 348.26 feet, by land, now or formerly, of Staz, to a point at land, formerly of Burton Blake, now or formerly, of Michael & Deborah Aquafresca;

Thence N. 76° 13′ 50" W., 399.70 feet, by land, now or formerly, of Aquafresca, to a point;

Thence S. 25° 16′ 10" W., 234.90 feet, by land, now or formerly, of Aquafresca, to a point at a stone wall, and other land, formerly of Burton Blake, now or formerly, of William F. McNamara & William F. McNamara, father & son, being the second lot described below;

Thence N. 67° 55′ 50" W., 687.40 feet, by the stone wall and Lot 2 as described below, other land, now or formerly, of McNamara, to a point at other land, formerly of Abraham Sorbelli, now or formerly, of James E. & Catherine L. Amsden;

Thence N. 13° 40′ 40" E., 456.02 feet, by land, formerly of Sorbelli, now or formerly, of Amsden, of Scott P. & Diane M. Marden, and of the aforesaid Hehir, to the iron pipe first mentioned, being the point and place of beginning.

Containing 11.61 acres as shown upon a plan entitled "Land In Sterling Surveyed For Abraham Sorbelli", dated June 1958, prepared by Charles A. Perkins Co., and recorded with Worcester District Registry of Deeds as Plan 36 in Plan Book 233.

Parcel 2.

Beginning at a point at the northeasterly corner of the parcel herein being described, at a stone wall, and land formerly of Susie G. Blake & Burton L. Blake, now or formerly, of Michael & Deborah Aquafresca, and at other land, now or formerly, of McNamara, described as Parcel 1, above, said point being also the southeasterly corner of Parcel 1;

Thence S. 25° 51′ 00" W., 880.81 feet, by land, now or formerly, of Aquafresca, to a point at land, now or formerly, of the Worcester, Nashua & Portland Division of the Boston & Maine Railroad, and at land, formerly of John M. Christensen, now or formerly, of Gary Turner, said point being at the southeasterly corner of the parcel herein described;

Thence N. 62° 14′ 00" W., 474.00 feet, to a point at the center of an abandoned way, and other land, now or formerly, of Gary Turner;

Thence N. 09° 11′ 00" E., 836.20 feet, by the center of the former way, and land, formerly of Christensen, now or formerly, of Turner, of Paul Merrill & Lorna Mattus-Merrill, of Paul H. & Debra Germain, of James & Theresa Coakley, and of Randy L. & Carolyn H. Schmidt, to a point at the above referenced stone wall, and at land, now or formerly, of James E. & Catherine L. Amsden;

Thence S. 69° 16′ 00" E., 716.40 feet, by the wall, partially by land, now or formerly, of Amsden, and mostly by other land, now or formerly, of McNamara, described as Parcel 1, above, to the point at the northeasterly corner being the point and place of beginning.

Containing 11.54 acres as shown upon a plan entitled "Land In Sterling Owned By Paul & William McNamara", dated October 1959, prepared by Charles A. Perkins Co., and recorded with said Deeds as Plan 26 in Plan Book 243.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Mortimer Street and/or the abandoned way formerly leading to West Boylston which may be held by the supposed owner, as a result of their ownership of the above described property, and being the same premises described in two deeds from William F. McNamara and Paul R. McNamara to William F. McNamara & William F. McNamara, father & son, dated December 22, 1988, and recorded with Worcester District Registry of Deeds in Book 11830, Pages 323 and 324.

The total area of the two contiguous parcels described above as Parcels 1 and 2, intended to be taken herein and hereby, is calculated to be 23.15 acres, more or less.

The above described property is represented upon Sterling Assessors Tax Map 23 as Parcel 1 and Map 26 as Parcel 5A.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
William F. McNamara and William F. McNamara	$ 350,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $350,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 22, recommending that the Commission adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 382 acres of land owned by Orrin W. Mason, Jr., et ux, located in the Towns of Holden and Princeton, Massachusetts, and to approve an award of damages in the amount of $4,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking and affirm the earlier vote of the Commission on July 31, 1997, for acquisition of approximately 382 acres of land owned by Orrin W. Mason, Jr., et ux, located in the Towns of Holden and Princeton, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 28, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Holden and Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain parcels of land, the first lying easterly of Mason Road, between Mason Road and Sterling Road, in the aforesaid Town of Holden, and the second lying westerly of Mason Road, mostly within the Town of Holden, but partially also within the corporate bounds of the Town of Princeton, more particularly bounded and described as follows:

Parcel 1.

Beginning at the southeasterly corner of the parcel herein being described, at an iron pipe found in a corner of stone walls, in the northwesterly line of Sterling Road, said pipe marking the southwesterly corner of land, formerly of Dorothy C. Peters, now or formerly, of Brian M. Wright, (see deed recorded with Worcester District Registry of Deeds in Book 16954, Page 292);

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Thence Southwesterly, by the northwesterly line of Sterling Road, a distance estimated to be 1456 feet, more or less, to an iron pipe marking the northeasterly corner of a parcel of land, now or formerly, of James P. & Marcia C. Alicata, shown as parcel #6 upon Plan Book 298, Plan 94, as recorded with said Deeds;

Thence Northwesterly, by parcel #6, 1187.38 feet, more or less, crossing Governor Brook to another iron pipe, at a corner;

Thence Southwesterly, by parcels #6, as subsequently subdivided, #5 and #4, land, now or formerly, of J.P. & M.C. Alicata, of J.P. Alicata & Steven R. Foster, of Kevin J. & Linda M. Letourneau, of Matthew & Gail Phillips, and of David M. & Jayne E. Chase, 619.30 feet, more or less, to a point at which a nail was placed in an oak stump, marking the northwesterly corner of parcel #2, as shown upon the above referenced plan, land, now or formerly, of Edward B. Jr. & Karen A. Dlugasz;

Thence Northwesterly, by parcels #2 and #3, land, now or formerly, of E.B. Jr. & K. A. Dlugasz, and of Carolyn L. Arego, 210.54 feet, more or less, to a drill hole in the stone wall marking the northeasterly line of Mason Road;

Thence Northerly and Northeasterly, by the northeasterly and easterly line of Mason Road, about 1273 feet, more or less, to a monument at the southwesterly corner of Parcel "B" land, now or formerly, of Orrin W. Mason, Sr., shown together with Parcel "A", other land, now or formerly, of Orrin W. & Cynthia L. Mason, upon a plan recorded with said Deeds as Plan Book 487, Plan 32, said Parcels "A" and "B" are specifically excluded from the provisions of this instrument of taking, and are reserved to the use and enjoyment of the supposed owners, their heirs and assigns (deed reference for Parcel "B" see W.D.R.D. Book 2733, Page 354, deed description for Parcel "A" see W.D.R.D. Book 16377, Page 263)

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Thence Southeasterly, by the southwesterly line of Parcel "B", 171.45 feet, more or less, to another monument at the southwesterly corner of Parcel "A";

Thence Southeasterly, by the southwesterly line of Parcel "A", 433.58 feet to an iron pipe at a corner;

Thence Northeasterly, by the easterly line of Parcel "A", 572.27 feet, more or less, mostly by a stone wall, to an iron pipe at the northeasterly corner of Parcel "A";

Thence Northwesterly, by the stone wall marking the northerly line of Parcel "A", 618.10 feet, more or less, to an iron pipe in the easterly line of Mason Road;

Thence Northerly, by the easterly line of Mason Road, 1725 feet, more or less, to a drill hole found in a corner of stone walls at the southwesterly corner of land, now or formerly, of Donald R. & Jeanette M. Temple, as described in a deed recorded with said Deeds at Book 11529, Page 25;

Thence Southeasterly, by the stone wall and land, now or formerly, of D.R. & J. M. Temple, 455.67 feet, more or less, to another drill hole found in a corner of walls, at land formerly of Temple, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see instrument dated June 20, 1996, recorded with W.D.R.D. in Book 18052, Page 297);

Thence Southeasterly, by the stone wall and land of the Commonwealth, MDC, 798.24 feet, more or less, recrossing Governor Brook, to a drill hole made in a corner of stone walls, at land, formerly of Robert S. Mirick, Jr., now of the Commonwealth of Massachusetts, Division of Fisheries, Wildlife and Enviromental Law Enforcement, (see instrument recorded with W.D.R.D. at Book 14278, Page 339) and land, formerly of Donald R. & Ann M. Haynes, now of the Commonwealth of Massachusetts, Metro-politan District Commission (see instrument dated November 14, 1996, recorded with W.D.R.D. in Book 18463, Page 267);

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Thence Southwesterly, by land, formerly of D.R. & A. M. Haynes, 1706.79 feet, more or less, to an iron pipe found at the northwesterly corner of land, now or formerly, of the aforesaid Brian M. Wright;

Thence Southeasterly, 537.85 feet, more or less, to a point at the end of a stone wall;

Thence Southeasterly, running by the wall, a total of 254.15 feet, more or less, to the iron pipe in the line of Sterling Road, being the first mentioned point and point and place of beginning, the last two courses being by land, now or formerly of B. M. Wright.

Parcel 1, as described above, is estimated to contain about 119.5 acres, more or less.

Parcel 2.

Beginning at a point in the Holden-Princeton Corporate Line, being the northwesterly corner of that portion of Parcel 2 wholly within the Town of Holden, at land, formerly of Robert S. & Katherine H. Mirick, now of the Commonwealth of Massachusetts, Division of Fisheries, Wildlife and Environmental Law Enforcement (DFWELE);

Thence Southeasterly, 430 feet, more or less, to a point at a corner;

Thence Southeasterly, 115.5 feet, more or less, to a point at another corner;

Thence Northerly, 57.7 feet, more or less, to a point at another corner;

Thence Easterly, 721.87 feet, more or less, to a point at which a hemlock tree formerly stood, being a corner of land, formerly of R.S. & K. H. Mirick, now of the Commonwealth, DFWELE, and of Land, now or formerly, of David J. & Donna G. Dugan (see W.D.R.D. Book 14307, Page 369), the last four courses being by land, formerly of Mirick, now of the Commonwealth, DFWELE;

Thence Easterly, 415 feet, more or less, to a point in a heap of stones, at a corner;

Thence Southeasterly, 115.5 feet, more or less, to a point at a stake and stones, at a corner;

Thence Southeasterly, 504 feet, more or less to a corner of a stone wall in the westerly line of Mason Road, the last three courses being by land, now or formerly, of D.J. & D.G. Dugan;

Thence Southerly, by the westerly line of Mason Road, a distance estimated to be 1874 feet, more or less, to a stone wall corner, said corner being the northeasterly corner of another parcel of land, now or formerly, of Orrin W., Jr. & Cynthia L. Mason, shown upon a plan recorded with said Deeds as Plan Book 333, Plan 98, which parcel herein designated Parcel "C", is specifically excluded from the provisions of this instrument of taking, and reserved to the use and enjoyment of the supposed owners, their heirs and assigns (see W.D.R.D. Book 16377, Page 263) ;

Thence Northwesterly, by the stone wall and northerly line of Parcel "C" 309.27 feet, more or less, to a point at the northwesterly corner of Parcel "C";

Thence Southwesterly, by the westerly line of Parcel "C", 325 feet, more or less, to a point at the southwesterly corner of Parcel "C";

Thence Southeasterly, by the southerly line of Parcel "C", 300 feet, more or less, to a point in the stone wall marking the westerly line of Mason Road;

Thence Southerly, by the stone wall and the westerly line of Mason Road, 1513 feet, more or less, to a point at land, now or formerly, of the North Worcester Fox and Coon Club (see W.D.R.D. Book 2703, Page 375);

Thence Westerly, 309.54 feet, more or less, to a point at an angle;

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Thence Northwesterly, 407.88 feet, more or less, in two courses, crossing and recrossing a stream, to a point;

Thence Northwesterly, 966.9 feet, more or less, to a point at a corner;

Thence Southwesterly, 522.75 feet, more or less, to a point in a heap of stones at a corner;

Thence Northwesterly, 974 feet, more or less, to a point in a heap of stones, at a corner, and land, now or formerly, of John C. Oliver, known as the "Barrett Lot" (see W.D.R.D. Book 3955, Page 165), the last five courses being by lands, now or formerly, of the North Worcester Fox and Coon Club;

Thence Northeasterly, 1135 feet, more or less, by the "Barrett Lot", to a point at a corner;

Thence Northwesterly, 1805 feet, more or less, by the "Barrett Lot", to a point in the Holden-Princeton Corporate Line, at land, in Princeton, now or formerly of Denise Dourdeville, Holly Carnwright, Theodore Dourdeville & Karen Moore (see W.D.R.D. Book 13036, Page 165);

Thence Northwesterly, 978 feet, more or less, by land, now or formerly, of Dourdeville et als, to a point in a corner of stone walls, at land, formerly of Vanda M. Solomon, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see instrument dated June 20, 1996, recorded with W.D.R.D. at Book 18052, Page 314);

Thence Northwesterly, by the stone wall, and land of the Commonwealth, Metropolitan District Commission, 344.74 feet, more or less, to a point in a corner of stone walls;

Thence Northeasterly, by the wall and land formerly of V. M. Solomon, 1129.25 feet, more or less, to a point in another stone wall corner;

Thence Northwesterly, by the wall and land of the Commonwealth, Metropolitan District Commission, 219 feet, more or less, to another point in a stone wall corner;

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Thence Northeasterly, by the wall and land formerly of V.M. Solomon, 306.97 feet, more or less, to a point at a corner of land, now or formerly, of Richard E. & Eleanor M. Sandstrom (see W.D.R.D. Book 4028, Page 563);

Thence Northeasterly, 466 feet, more or less, to a point at a corner;

Thence Southeasterly, 712 feet, more or less, to a point at another corner;

Thence Northeasterly, 660 feet, more or less, to a point in a stone wall corner, marking the westerly line of land, now or formerly, of the Nimrod League of Holden, Inc. (see W.D.R.D. Book 2775, Page 363), the last three courses being by land, now or formerly, of R. E. & E. M. Sandstrom;

Thence Northeasterly, 727 feet, more or less, to a point in a stone wall;

Thence Northeasterly, 248 feet, more or less, by the stone wall, to a point in a corner of walls;

Thence Southeasterly, 375 feet, more or less, by the stone wall, to a point in the wall;

Thence Southeasterly, 168 feet, more or less, by the wall, to a point;

Thence Southeasterly, 260 feet, more or less, to a point in the Holden-Princeton Corporate Line, at land, in Holden, formerly of R. S. & K. H. Mirick, now of the Commonwealth of Massachusetts, DFWELE, the last five courses being by land, now or formerly, of the Nimrod League of Holden, Inc.;

Thence Southwesterly, 440 feet, more or less, by estimation, along the Holden-Princeton Corporate Line, to the first mentioned point in said line, being the point and place of beginning.

There is excluded from the perimeter description of Parcel 2 above, a parcel of land supposed to contain 14 acres, more or less, as described in a conveyance dated October 29,

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1824, from James Barrett to Thomas How or Howe recorded with Worcester District Registry of Deeds at Book 364, Page 477. This excluded parcel appears to be the same premises described as Parcel III in a deed from Mary M. Dourdeville to Denise Dourdeville et als dated June 18, 1990 and recorded with said Deeds at Book 13036, Page 264.

As above described, with the exclusion considered, Parcel 2 is estimated to contain 78.54 acres, more or less, in Princeton and 183.96 acres, more or less, in Holden, or a total of 262.5 acres total.

Together Parcels 1 and 2 are estimated to contain 382 acres, more or less.

The descriptions set forth above were derived from deed descriptions and deed plots for the locus property, deed descriptions and deed plots for abutting properties, recorded and unrecorded survey plans, engineering studies performed for the former owners, and information obtained from both Holden and Princeton Assessors plans. In addition to the three recorded survey plans cited within the above descriptions, the following plans were used:

"Plan of Land in Princeton and Holden owned by Howe Lumber Co., Marlboro, Mass.," dated May 1937, Wm. P. Ray, C.E. recorded with said Deeds at Plan Book 112, Plan 59.

"Preliminary Plan of Proposed Subdivision in Princeton, Mass. Owned by Vanda M. Solomon," dated November 18, 1988, prepared by James B. Kalloch R.L.S., unrecorded, a copy of which is on file with the Real Property Office of the Metropolitan District Commission ("MDC"), 20 Somerset Street, Boston, MA 02108.

"Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Holden (Worcester County) Massachusetts, Land Taking Plan for Watershed Protection," dated 6/14/96, prepared by Andrysick Land Surveying, Inc., unrecorded, a copy of which is on file with the Real Property Office of the MDC.

"Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Holden (Worcester County) Massachusetts, Land Taking Plan for Watershed Protection," Two Sheet Plan, dated 6/20/96, prepared by Andrysick Land Surveying, Inc., unrecorded, a

copy of which is on file with the Real Property Office of the Metropolitan District Commission.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sterling Road and/or Mason Road which may be held by the supposed owners, as a result of their ownership of the above described property, and being all of the same premises described in a series of six quitclaim deeds from Orrin W. Mason, Jr. and Cynthia L. Mason to Orrin W. Mason, Jr. and Cynthia L. Mason, all dated June 1, 1994, and recorded with Worcester District Registry of Deeds in Book 16377, Pages 259, 260, 262, 265, 266, and 270.

As previously referenced within the above description of the land taken hereby, the Commission expressly excludes from the land taken by this Order, those parcels designated as Parcels "A" and "B" on a plan of land recorded with the Worcester District Registry of Deeds as Plan 32 in Plan Book 487, and that parcel shown as containing 86,250 square feet, more or less, or 1.98 acres, on a plan of land recorded with said Deeds as Plan 98 in Plan Book 333.

Reserving and granting solely to Orrin W. Mason, Jr., the right to continue to hay, fertilize and reseed, the farm fields adjoining the excluded residences upon the easterly side of Mason Road, within Parcel 1 as above described (expressly not including the existing farm field off Sterling Road), and the farm fields along the westerly side of Mason Road, within Parcel 2 as above described, but only for so long as he retains an ownership interest in the remaining Mason Farm lands, which remaining lands are identified immediately above as those parcels which are excluded from this Order. This right to continue to hay, fertilize and reseed is subject to a two-hundred-foot buffer area from any existing tributary, stream or other water source situated on and within said Parcel 1; and such right is further subject to the determination of the MDC Division of Watershed Management, from time to time, as to whether any cutting or clearing of such buffer areas shall be permitted. This right to continue to hay, fertilize and reseed is a personal right, not a right running with the land, and is not assignable nor transferable; and furthermore, such right shall terminate immediately upon the transfer of all or any portion of the remaining Mason Farm lands by said Orrin W. Mason, Jr.

The above described property in Holden is represented upon Holden Assessors Tax Map 9 as Parcel 3, Tax Map 10 as Parcel 1.1, Tax Map 14 as Parcel 2, Tax Map 15 as Parcels 1.03, 1.04, 1.05, and 2, and Tax Map 16 as Parcels 2 and 5.

The excluded parcels in Holden are represented upon Tax Map 15 as Parcel 1.01, and upon Tax Map 16 as Parcels 3 and 4.

The above described property in Princeton is represented upon Princeton Tax Map 15 as Parcel 54, and a portion of the northeasterly end of Parcel 53, as well as part of the northwesterly portion of Parcel 20 on Tax Map 18 (actually depicted on Map 15).

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Orrin W. Mason, Jr. and Cynthia L. Mason	$ 4,000,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $4,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 22, recommending that the Commission adopt an Order of Taking for Acquisition of approximately 0.234 acres of land owned by Assunta Fiorentino, as Trustee, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of $287,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and Chapter 79A. Account No. 2449-0003. The Commission V O T E D: to adopt an Order of Taking for Acquisition of approximately 0.234 acres of land owned by Assunta Fiorentino, as Trustee, located in the City of Boston, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 28, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

Two contiguous parcels of land, on the northerly side of Western Avenue in Brighton, more particularly bounded and described as follows:

Parcel 1

A certain parcel of land with buildings thereon, numbered 487-489 Western Avenue, in that part of Boston, Suffolk County, Massachusetts, formerly called Brighton, being shown as lot "A" on a plan entitled "Plan of Lots in Brighton, belonging to the Heirs of John W. Hollis, prepared by D.W. Hyde Surveyor, Boston, dated October 3, 1916", which plan is recorded with Suffolk Registry of Deeds in Book 4008, Page 234, said lot is bounded and further described as follows:

SOUTHERLY	by Western Avenue, fifty-nine and 74/100 feet;
EASTERLY	by a proposed forty foot street shown on said plan one-hundred twenty-four and 12/100 feet;

NORTHERLY by lot "B" shown on said plan, land now of the Commonwealth of Massachusetts, Metropolitan District Commission, sixty-two and 66/100 feet; and

WESTERLY by land formerly of Thomas Kelly et al, now of the Commonwealth of Massachusetts, Metropolitan District Commission, one-hundred twenty five and 66/100 feet.

Containing 7642 square feet, more or less, according to said plan.

Parcel 2

A twenty foot wide portion of the proposed street, never built, shown on the above cited plan, bounded and described as follows:

WESTERLY by Lot A, one-hundred twenty four and 12/100 feet;

NORTHERLY by land of the Commonwealth of Massachusetts, Metropolitan District Commission, twenty feet;

EASTERLY by land of the Commonwealth of Massachusetts, Metropolitan District Commission, one-hundred twenty four and 12/100 feet;

SOUTHERLY by Western Avenue, twenty feet.

Containing 2483 square feet, more or less.

Parcels 1 and 2 as described above are depicted as a single parcel on a plan entitled "Plan of Land in Boston, Mass., Brighton District", prepared by W. A. Mason & Son Civil Engineers, Cambridge, Mass, dated September 19, 1946, which plan is recorded with Suffolk Registry of Deeds in Book 6262, Page 249.

The total area of land herein and hereby taken is calculated to be 10,125 square feet, more or less.

Parcel 1 is carried on the Tax Rolls of the City of Boston as Ward 22, Parcel 00574-000. Parcel 2 is carried on the tax rolls of the City of Boston as Ward 22, Parcel 00573-000.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Western Avenue which may be held by the supposed owner, as a result of its ownership of the above described property, and being the same premises described in a deed from Assunta Fiorentino to Assunta Fiorentino, Trustee of the Fiorentino Family Trust, dated July 23, 1994 and recorded with Suffolk Registry of Deeds in Book 19215, Page 319.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Assunta Fiorentino, Trustee Fiorentino Family Trust	$287,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $287,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and Chapter 79A.

Action was taken upon the following Various Matter:

1. Report of Miss Overton, August 26, requesting approval and execution of Amendment No. 5, for an extension of time from August 31, 1997 to December 31, 1997, on Contract No. P96-1824-S1A, with Fugro East, Inc., for Development of a Resource Management Plan (RMP) for the Lands Owned and Managed Within the Fowl Meadow/Ponkapoag Area of Critical Environmental Concern (ACEC).
(At no additional cost).
The Commission V O T E D: Approved
The Secretary then submitted for signature Amendment No. 5, dated August 28, 1997, to Contract No. P96-1824-S1A, with Fugro East, Inc., which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not participate in discussion, vote on this matter nor sign the Amendment.

2. At this point, Associate Commissioner Carr questioned why the University of Massachusetts - Amherst - has been the recipient of a great many Contracts with the Metropolitan District Commission for various studies. He then asked if the other vendors are being offered an opportunity to submit proposals for these projects.
He noted that we are spending a great deal of money on these contracts in the Quabbin area and asked if work is being tracked.
Associate Commission Carr then requested that the Watershed Management Division have an appropriate staff member at the next Meeting to brief the Commission on the matter.

Adjourned at 10:15 a.m., to meet on Thursday, September 11, 1997, at 9:00 a.m.

William F. Cushing
Secretary

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Record of the Three Thousand Eight Hundred and Twenty Fourth (3824th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 11, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meetings held on August 15, 1997 and August 21, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated September 11, 1997, to Contract-Agreement No. PL95-038-D1A, with Comprehensive Environmental, Inc., for New Charles River Basin, North Point Park, RAM Plan and Risk Characterization Services - Under Chapter 21E.

2. Contract No. P95-1789-C2A, dated September 11, 1997, with Triumvirate Environmental, Inc., for Contaminated Site Clean-up at Indian Line Farm, Canton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and Mayhew, September 2, recommending approval of an extension of time from September 30, 1997 to October 31 1997, on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from September 30, 1997 to October 31 1997, as recommended by Messrs Faucher, Brooks and Mayhew in their report of September 2, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher, Brooks and Mayhew, August 15, requesting approval of Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1928-C1A, for Demolition of Maintenance Building, Ocean Avenue, Revere.
Estimated Cost - $40,000.00.
Time for Performance - forty five days after notice to proceed.
Account No. 2490-8881.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1928-C1A, for Demolition of Maintenance Building, Ocean Avenue, Revere.

5. Report of Messrs. Faucher, Brooks and Mayhew, September 2, recommending approval of an extension of time from July 30, 1997 to August 29, 1997, on Contract No. P96-1856-C1A, with Reliable Roofing, Inc., for Installation of New Roofing at the Robert M. Devine Ice Skating Rink, Dorchester.

(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from July 30, 1997 to August 29, 1997, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of September 2, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Jackson, September 4, on bids for Interpretive Plaza at Don Kent Park, Quincy, Project No. P97-1917-C1A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of West Princeton Corp., of $20,770.00).
The Commission V O T E D: to accept the lowest bid received, that of West Princeton Corp., of $20,770.00.

2. Report of Miss Overton and Messrs. Faucher and Jackson, August 20, requesting approval and execution of Amendment No. 3, for additional design services, at a cost of $47,313.05, which increases Contract cost to $642,550.05, on Contract No. P95-1783-D1A, with Brown and Rowe, Inc., for Boston Harbor Beaches Program.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 3, dated September 11, 1997, to Contract No. P95-1783-D1A, with Brown and Rowe, Inc., for Boston Harbor Beaches Program, which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. Faucher and Machado, August 21, recommending approval of revisions in quantities on Contract No. P96-1862-C1A, with South Shore Fence Company, Incorporated, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Parks System, as follows -

Item No. 035-010	**$ 50,600.00**
SSGuard Rail and Posts	
Item No. 036-010	**$ 589.20**
SSGuard Rail and (Curved) Posts	
Item No. 037-010	**$ 932.19**
Terminal End Sections	
Item No. 041-010	**$ 1,441.77**
Remove, Dispose or Store Steel Guard Rail Instal.	
Item No. 060-010	**$ 57,480.00**
Repair or Replace Galv. Steel Chain Link Fence 8 Ft. High	
Item No. 088-010	**$ 14,000.00**
Traffic Control Services	
	Total = $125,043.16

(At no increase in Contract cost as the revisions will be offset by unused quantities in thirty-eight other Items).
The Commission V O T E D: Approved.

4. Report of Mr. Faucher and Ms. Pfetsch, August 27 recommending that the Commission approve the action of Acting Director Faucher

resulting in the following on Contract No. P94-1749-C1A, with D. Clancy & Sons, Inc., for Captain's House Renovations, Blue Hills Reservation, Milton -

Extra Work Order No. 7 **$2,680.79**
Additional Carpentry and Masonry Work
Extra Work Order No. 8 **$1,954.90**
Replacement of Five Basement Windows
Extra Work Order No. 9 **$ 554.00**
Core Foundation for Exterior Water Fountain
Total = $5,189.69

Alteration No. 3 - A **credit of $508.00** for one five panel door not required and access doors that were not necessary.

Account No. 2440-8952.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Orders No. 7, 8 and 9 and Alteration No. 3, on Contract No. P94-1749-C1A, with D. Clancy & Sons, Inc., for Captain's House Renovations, Blue Hills Reservation, Milton.
The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of $2,680.79.
The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of $1,954.90.
The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of $554.00.
The Commission further V O T E D: to approve Alteration No. 3, at a credit to the Commission, in the amount of $508.00.

1. Report of Messrs. Faucher and Higgott, August 28, submitting for approval and execution Joint Funding Agreement with the United States Department of the Interior, Geological Survey, for several river gauging stations within the Charles River and Mystic River Watersheds, Contract No. P88-1530-M6A, for the period October 1, 1997 to September 30, 1998.
MDC Share - Federal Fiscal Year 1998 - $28,400.00.
FY98 funding - 2440-0010-TT.
FY99 funding - contingent on appropriation.
The Commission V O T E D: Approved
The Secretary then submitted for signature Joint Funding Agreement, dated September 11, 1997, with the United States Department of the Interior, Geological Survey, for several river gauging stations within the Charles River and Mystic River Watersheds, Contract No. P88-1530-M6A, for the period October 1, 1997 to September 30, 1998, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Mr. Faucher and Mrs. Graves-Jones, August 25, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1924-M1A, for Installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC.
Time for Performance - twenty four months.
Estimated Cost - $300,000.00
FY98 - $50,000.00.
FY99 - $150,000.00 and FY00 - $100,000.00 - contingent upon

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sufficient funds being made available through the annual budgetary appropriation process.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1924-M1A, for Installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC.

1. Report of Miss Overton and Messrs. Faucher and Orfant, September 5, on bids for the Boston Harbor Beaches - Island Pier Repair, George's Island Drop Landing, Project No. P97-1881-C1A. (Miss Overton and Messrs. Faucher and Orfant recommend that the bids of RDA Construction Corp. and AGM Marine Contractors, Inc. be rejected - due to a recommendation by an engineering design consultant that a large scale repair or replacement project is necessary at George's Island).
The Commission V O T E D: to reject the bids of RDA Construction Corp. and AGM Marine Contractors, Inc., as recommended by Miss Overton and Messrs. Faucher and Orfant in their report of September 5, 1997.

2. Report of Messrs. Faucher and Haider, July 1, recommending the following on Contract No. P97-1903-C1A, with R. Zoppo Corp., for Repairs to the 4" Plastic Water Line, George's Island, Boston -
(a) That work be accepted as completed as of July 1, 1997.
(b) That Estimate No. 3 (Final), in the amount of $17,622.50, be approved for payment.
(c) That reserve, in the amount of $8,371.10, be approved for payment.
(Basis of Award - $142,672.00)
(Amount to Date - $167,422.00)
(Contract Performance Rating - 4.67)
(EEO Compliance - 3.40)
The Commission V O T E D: that the work of R. Zoppo Corp., Contractor under Contract No. P97-1903-C1A, be and hereby is accepted as completed as of July 1, 1997.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $17,622.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $8,371.10, for payment.

3. Report of Messrs. Faucher and Higgott, September 4, on bids for Peddocks Island Pier Replacement, Contract No. P82-1112-C2A. (Messrs. Faucher and Higgott recommend acceptance of the lowest bid received, that of Early & Sons, Inc., of $1,997,675.50).
The Commission V O T E D: to accept the lowest bid received, that of Early & Sons, Inc., of $1,997,675.50.

4. Report of Messrs. Faucher, Brooks and Kane, September 5, on bids for Historic Stables Renovation, Charles River Basin, O'Brien Highway and Land Boulevard, Cambridge, Contract No. P97-1913-C1A. (Messrs. Faucher, Brooks and Kane recommend acceptance of the lowest corrected bid of Langton & Douglas Contracting, Inc., of $194,174.50).
The Commission V O T E D: to accept the lowest corrected bid of Langton & Douglas Contracting, Inc., of $194,174.50.

1. Report of Messrs. Faucher and Jackson, August 21, recommending approval of the action of Acting Director Faucher on Contract No. P95-1784-C2A, with Jay Cashman, Inc., for Phase I Implementation, Rehabilitation of South Boston Beaches, resulting in Extra Work Order No. 1 - for additional vegetation removal and beach preparation work at City Point Beach and Carson Beach, South Boston - at a cost of $10,104.14 - funding from Account No. 2440-8956.
Messrs. Faucher and Jackson further request approval of a revision in quantities on Item No 200-011 - Timber Pile Removal from 30 to 58 - at a cost of $6,440.00.
(The cost of the revision will offset by unused quantities in Item No. 200-012 - Timber Post Removal).
The Commission V O T E D: to approve the action of Acting Director Faucher on Contract No. P95-1784-C2A, with Jay Cashman, Inc., for Phase I Implementation, Rehabilitation of South Boston Beaches, which resulted in Extra Work Order No. 1.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $10,104.14.
The Commission further V O T E D: to approve the revision in quantities on Item No 200-011, in the amount of $6,440.00.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, August 15, requesting approval of Extra Work Order No. 6 - for Installation of Deformation Monitoring Points - at a cost of $497.39, on Contract No. WM93-060-C1A, with WES Construction Corporation, for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough.
(The request will increase the Contract cost to $1,166,488.12).
Account No. 2422-1442.
The Commission V O T E D: to approve Extra Work Order No. 6, in the amount of $497.39.

3. Report of Mr. McGinn, August 28, requesting approval and execution of Amendment No. 2, to Contract No. WM95-060-X1A, with SEA Consultants, Inc., for Pilot On-site Remediation Program, for the following -
1. A revision in the scope of services, at an additional cost of $21,500.00, which increase the total contract cost to $171,500.00.
2. An extension of time from December 31, 1997 to June 30, 1998.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 2, dated September 11, 1997, to Contract No. WM95-060-X1A, with SEA Consultants, Inc., which was signed by the Commissioner and three Associate Commissioners.

4. Report of Mr. McGinn and Ms. Carr, August 25, submitting for approval Project Summary, Work Schedule, Memorandum of Agreement and Master Grant Agreement for Contract No. WM98-095-S1A, with the Town of Sterling, for Ground Surface Water Protection.

Mr. McGinn and Ms. Carr further request that the Commission execute the Master Grant Agreement.
Cost - $40,000.00.
Time for Performance - one year.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Master Grant Agreement, dated September 11, 1997, which was signed by the Commissioner and three Associate Commissioners.

1. Report of Messrs. McGinn and Vignaly, August 18, submitting for approval and execution Joint Funding Agreement with the United States Department of the Interior, Geological Survey, for Stream Gauging - for the period October 1, 1997 through September 30, 1998.
MDC 50% share of the cost is $50,410.00.
Account No. 2420-1400-TT.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated September 11, 1997, with the United States Department of the Interior, Geological Survey, for Stream Gauging - for the period October 1, 1997 through September 30, 1998, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Mr. McGinn, September 5, requesting authorization for Commissioner Balfour to execute on behalf of the Commission Second Amendment to the Wachusett Reservoir Consent Order entered by MWRA and MDC with DEP in June, 1993, for Compliance with Surface Water Treatment Rule.
The Commission V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission Second Amendment to the Wachusett Reservoir Consent Order entered by MWRA and MDC with DEP in June, 1993, for Compliance with Surface Water Treatment Rule.

3. At this point, Associate Commissioner Carr noted that at the Commission Meeting of August 28, 1997, he requested that the Watershed Management Division brief the Commission regarding Consultant Contracts with the University of Massachusetts - Amherst (UMA).
Mr. McGinn explained that the Watershed Management Division has awarded numerous Consultant Contracts to UMA over the past six or seven years. He noted that it stems back to a Memorandum of Agreement which was executed by the Secretary of Environmental Affairs and the Chancellor of the University System, whereby the University would be viewed as the exclusive source of research and demonstration types of activities consistent with needs for environmental data for agencies within the Secretariat. Mr. McGinn stated that the Division of Watershed Management, Massachusetts Water Resources Authority, and the Department of Environmental Management have all made extensive use of UMA's facilities, expertise and its graduate students. This permits the agencies to obtain state of the art level output for considerably less expense than that of private consultants for

similar type of work. In fact, he pointed out, UMA is considered by the Secretary of EOEA as sole source for all of our G.I.S. land use mapping. He then explained that the MDC has had well over 1/4 million dollars worth of map development performed by UMA.
Mr. McGinn then explained that the MDC currently has research projects involving monitoring water at Quabbin Reservoir, some cutting edge investigations, and several other projects ongoing with UMA.
In addition, he noted, the MDC's forestry office is tied in with UMA's forestry staff and its forestry professors and programs. We interact back and forth on a routine basis because Quabbin, he noted, is nearby and we have a very good working relationship with the University.
Associate Commissioner Carr said his concern was not with UMA's expertise, but with all the money being spent, his concern was with how UMA was chosen for different projects.
Associate Commissioner Carr stated that he was just seeking reassurance that the Memorandum of Understanding signed six years ago directs the MDC to utilize UMA for certain projects when they are qualified.
Associate Commissioner Carr then asked Mr. McGinn if he and his staff were satisfied with the performance, the quality and the cost of work performed by UMA.
Mr McGinn responded in the affirmative.

Action was taken upon the following matters relating to the Office of Planning:

1. Report of Mrs. O'Brien, September 4, recommending that the Commission amend its vote of June 26, 1997 approving Contract No. PL92-017-C2A, for Upper Charles River Reservation Restoration Program - Phase 1B (Newton and Waltham Segments), by changing the following - Account Number 2410-7572 to read from Account Number 2490-0017 and the inclusion of ISTEA funds in the sum of $1,215,900.00 from Account No. 2440-9514.
The Commission V O T E D: to amend its vote of June 26, 1997 approving Contract No. PL92-017-C2A, for Upper Charles River Reservation Restoration Program - Phase 1B (Newton and Waltham Segments), by changing the following - Account Number 2410-7572 to read from Account Number 2490-0017 and the inclusion of ISTEA funds in the sum of $1,215,900.00 from Account No. 2440-9514.

2. Report of Mrs. O'Brien, September 8, recommending approval of the request of the Cambridge Boat Club to construct a 16' x 50' addition on the downstream side of their existing building and to Amend the lease line to provide for that addition.
Mrs. O'Brien further requests authorization for staff to finalize the revisions to the Cambridge Boat Club permit consistent with terms and conditions as outlined in her report.
Mrs. O'Brien explained that a Committee representing the Cambridge Boat Club (CBC) and the Head of the Charles made a presentation to the Commission on November 15, 1995 concerning proposed improvements to their building adjacent to the Charles River in Cambridge.

Following the meeting, the Committee was asked to work with the City of Cambridge and its Conservation Commission (CCC) to resolve any possible problems with the proposal. In addition, the Commission asked that the Committee incorporate into the proposal the sponsorship of a strong rowing program with Cambridge Rindge and Latin High School.
At this time, she explained, the basic proposal of CBC is to add a 16 foot x 50 foot addition on the boathouse which will be two stories high and will house the Head of the Charles Regatta office and it activities on the second floor. On the main floor, she noted, will be toilets and showers, a reading room, a service room adjacent to the kitchen, which will eliminate the need for a dumpster now located in the parking lot. Additional area underneath the building will be excavated and braced to provide additional boat storage, she noted.
Mrs O'Brien then explained that CBC has worked closely with the CCC and CCC has issued an Order of Conditions which will be incorporated into the new permit, if it is approved, along with some changes in the existing MDC permit.
At this point, Carmen Garufo of the CBC Building Committee spoke and presented a brief history of CBC's activities on the Charles River. He then went into further detail on the proposed improvements to CBC's Boat House.
He noted that the proposed improvements have been forwarded to the Massachusetts Historical Commission and to this point of time, no response has been received. Therefore, Mr. Garufo stated, he did not feel they had any objection with the proposal.
Mr Garufo then explained that the CBC is looking forward to the program with Cambridge Rindge and Latin High School. He stated that plans call for providing their boating program with space at the club, $3,600.00 in scholarships to Community Rowing and putting together a program which will assist the school in obtaining boats at a reasonable cost.
Associate Commissioner Settles questioned when the existing permit expires and whether there will be adequate parking at the site to accommodate individuals utilizing the new addition.
Mr. Garufo stated the permit is for five years with two years remaining and yes, there will be adequate parking.
Associate Commissioner Wu questioned the terms of the Lease with the Head of the Charles Committee.
Mr. Garufo stated that the terms have not been worked out at this time.
On questioning by Associate Commissioner Wu, Mr. Garufo stated that the cost of the proposed improvements will be approximately $400,000.00.
Associate Commissioner Carr asked if Public Hearings were held and notice given to interested citizens regarding the proposed improvements.
Mr. Garufo stated that four or five public hearings were held and all neighbors had an opportunity to comment.
Associate Commissioner Carr asked if all recommendations of the CCC will be incorporated into the new permit. Mrs. O'Brien stated that this will be up to the Commission.
The Commission then asked what would happen if the Cambridge Rindge and Latin High School Program were abandoned. Mrs. O'Brien

stated that we would seek another school to take its place in the program.
At this point, Associate Commissioner Carr stated that if the proposed improvements are approved by the Commission, he wants the Commission to review the Agreement between Cambridge Rindge and Latin High School and CBC, and the Order of Conditions from the CBC, before the new permit is executed.
Associate Commissioner Elkort asked if there is a back-up school if Cambridge Rindge and Latin High School were to drop out of the program.
Mr. Garufo stated that the Carrol School is very interested.
The Commission V O T E D: approval subject to Commission review of the new permit prior to its execution.
The Commission further requested that copies of the Agreement between Cambridge Rindge and Latin High School and the Cambridge Boat Club, in addition to the Order of Conditions from the Cambridge Conservation Commission, be presented to the Commission for review prior to execution of the permit.
In addition, the Commission requested a copy of the sub-lease with the Head of the Charles Committee and CBC when available, as this sub-lease will also be subject to Commission approval.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, September 4, submitting for approval Open Order Contract No. RP98-0001, for Appraisals for Watershed Land Acquisition FY/98 - Worcester Franklin and Hampshire Counties.
Cost - $750,000.00.
Account No. 2421-9936, under Sections 6 and 12 of Chapter 36 of the Acts of 1992 - (Cohen Bill).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

2. Report of Mrs. Sylvester, August 27, submitting for approval and execution annual Contract with the City of Boston, for the Maintenance and Operation of the James Michael Curley Recreational Facility, Day Boulevard, South Boston, for the period July 1, 1997 through June 30, 1998.
Cost - $293,116.00.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract, dated September 11, 1997, with the City of Boston, for the Maintenance and Operation of the James Michael Curley Recreational Facility, Day Boulevard, South Boston, for the period July 1, 1997 through June 30, 1998, which was signed by the Commissioner and three Associate Commissioners.

3. Report of Mr. Jewett, September 5, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following ten Contract-Agreements for Watershed Land Acquisition Program FY98 - Open Order Contract No. RP98-0001 - for Professional Real Estate Appraisal Services -

NAME	VALUE	PARCELS
Paul V. O'Leary & Associates	$ 31,000.00	8
Reynolds Company	$ 25,512.00	7
Leo M. Flynn	$104,300.00	36
Peter S. Emerson & Associates	$110,020.00	41
Meredith & Grew, Inc.	$ 39,300.00	16
O'Connor Real Estate Assoc. Inc.	$ 42,900.00	22
Steven C. Byrnes Associates, Inc.	$ 23,975.00	12
G & M Valuation	$ 46,550.00	23
Ellen Harding Anderson	$101,650.00	39
Petersen/LaChance Realty Advisors	$ 44,800.00	16
Total =	**$570,007.00**	**220**

Account No. 2421-9936.
The Commission V O T E D: Approved
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, the ten Contract-Agreements for Watershed Land Acquisition Program FY98 - Open Order Contract No. RP98-0001 - for Professional Real Estate Appraisal Services.

1. Report of Messrs. Kerins and Glavin, September 8, on proposals to Furnish, Install and Maintain Temporary Offices for Central Services Administration and the Charles District, Lower Basin Maintenance Offices.
(Messrs. Kerins an Glavin recommend that the lease order be awarded to Pope Building Systems of Atkinson, New Hampshire with a proposal as follows -

Twelve months	- $ 78,850.00
Eighteen months	- $ 97,528.00
Twenty Four months	- $116,206.00

Purchase at Twenty Four months - $ 96,233.00
The remaining cost for the period November 1, 1997 to June 30, 1998 not to exceed $58,768.00).
Account No. 2449-0003.
The Commission V O T E D: Approved as recommended by Messrs. Kerins and Glavin in their report of September 8, 1997.

Adjourned at 10:45 a.m., to meet on Thursday, September 18, 1997, at 9:00 a.m.

William F. Bushnell
Secretary

Record of the Three Thousand Eight Hundred and Twenty Fifth (3825th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 18, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on August 28, 1997 were read and approved.

Action was taken upon the following matter relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Mayhew, September 12, recommending the following on Contract No. P97-1899-C1A, with Tar-Vel Roofing Co., Inc., for New Roof at Simoni Rink, Cambridge -
(a) That work be accepted as completed as of July 25, 1997.
(b) That Estimate No. 2 (Final), in the amount of $178,533.50, be approved for payment.
(c) That reserve, in the amount of $12,550.00, be approved for payment.
(Basis of Award - $251,000.00)
(Amount to Date - $251,000.00)
(Contract Performance Rating - 94 with 100 being excellent)
(EEO Compliance - 4.50)
The Commission V O T E D: that the work of Tar-Vel Roofing Co., Inc., Contractor under Contract No. P97-1899-C1A, be and hereby is accepted as completed as of July 25, 1997.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $178,533.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $12,550.00, be approved for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Scannell, August 28, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. WM-98-020-X1A, for Septic System Database Project.
Maximum Obligation - $70,000.00.
Time for Performance - Sixteen months.
Account No. 2420-1400 sub HH.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM-98-020-X1A, for Septic System Database Project.

3. Report of Mr. McGinn, September 8, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1721, conveying Lot No. 1956, to Peter B. and Cheryl D. Izuk.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1721, dated September 18, 1997, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Messrs. O'Brien, September 11, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. PL-98-051-C1A, for Site Demolition, Asbestos Removal and Loam and Seed Application, North Point Park, Cambridge.
Estimated Cost - $550,000.00.
Time for Performance - Four months
Account No. 2449-0003.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL-98-051-C1A, for Site Demolition, Asbestos Removal and Loam and Seed Application, North Point Park, Cambridge.

Adjourned at 10:45 a.m., to meet on Thursday, September 25, 1997, at 9:00 a.m.

William F. Ahrens
Secretary

Record of the Three Thousand Eight Hundred and Twenty Sixth (3826th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 25, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on September 11, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Lease-Agreement, dated September 25, 1997, with Haley's Cafe Inc., d/b/a Anthony's Restaurant.

2. Amendment, dated September 25, 1997, to Contract-Agreement No. WM97-061-D1A, with Weston & Sampson, Engineers, Inc., for Master Sewer Design - Phase II, West Boylston and Holden.

3. Contract No. P82-1112-C2A, dated September 25, 1997, with Early & Sons, Inc., for Peddocks Island Pier Replacement.

4. Contract No. P97-1917-C1A, dated September 25, 1997, with West Princeton Corp., for Interpretive Plaza at Don Kent Park, Quincy.

5. Contract-Agreement No. PL97-045-D1A, dated September 25, 1997, with the Halvorson Company, Inc., for Design of Nashua Street Park Development, Boston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher, Brooks and Martinez, September 18, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P98-1933-C1A, for Sewer Building Line Connections at Emmons-Horrigan Skating Rink, Charlestown.
Estimated Cost - $12,000.00.
Time for Performance - two weeks.
Account No. 2440-9800.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1933-C1A, for Sewer Building Line Connections at Emmons-Horrigan Skating Rink, Charlestown.

7. Report of Messrs. Faucher, Brooks and Martinez, September 18, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P98-1932-C1A, for Water and Sewer Building Line Connections at Shea Rink, Quincy.
Estimated Cost - $50,000.00.
Time for Performance - three weeks.
Account No. 2440-9800.

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The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1932-C1A, for Water and Sewer Building Line Connections at Shea Rink, Quincy.

1. Report of Mr. Faucher and Mrs. Graves-Jones, September 12, recommending approval of revisions in quantities on Contract No. P96-1822-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Makings on Parkways and Roadways of the MDC, as follows -

Item No. 001-010	$ 882.00
4" Reflectorized Line (Paint)	
Item No. 003-010	$6,776.00
4" Reflectorized Lin (Thermo)	
Item No. 005-010	$1,900.00
Reflectorized Line (Thermoplastic)	
Total =	$9,558.00

Account No. 2490-0012-NN.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and Haider, September 15, requesting approval of an extension of time from September 20, 1997 to October 20, 1997, on Contract No. P97-1895-C1A, with P. J. Kennedy and Sons, Inc., for Installation of New HVAC Systems at Bajko, Bryan and Connery Skating Rinks.
(At no increases in Contract cost).
The Commission V O T E D: to approve an extension of time from September 20, 1997 to October 20, 1997, on Contract No. P97-1895-C1A, as requested by Messrs. Faucher, Brooks and Haider in their report of September 15, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Sacco, September 11, requesting approval of the action of Acting Director Faucher resulting in a revision in quantities on Item No. 003-010 - Concrete Restoration - $9,100.00, on Contract No. P97-1890-C1A, with South Shore Paving Corp., for Winthrop Seawalls Repairs, Revere/Winthrop.
(At no increase in Contract cost due to deletion of Item No. 001-010 - Remove Graffiti from Masonry).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in a revision in quantities on Item No. 003-010 - Concrete Restoration - on Contract No. P97-1890-C1A.
The Commission further V O T E D: to approve the revision in quantities, in the amount of $9,100.00.

4. Report of Messrs. Faucher and Jackson, September 15, recommending that the Commission ratify the action of Acting Director Faucher resulting in Extra Work Order No. 2, for transplanting trees along Carroll Parkway in Lynn, planting new trees and pruning trees along the Lynnway - at a cost not-to-exceed $36,456.90, on Contract No. P92-1628-C6A, with Northern Tree Service, Inc., for 1997 Parkway Landscape Improvements.

Account No. 2490-8910.
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 2, on Contract No. P92-1628-C6A.
The Commission further V O T E D: to approve Extra Work Order No. 2, at a cost not-to-exceed $36,456.90.

1. Report of Messrs. Faucher, Brooks and Mayhew, September 19, recommending approval of the request of G.V.W., Inc., Contractor on Contract No. P97-1874-C1A, for Improvements to the William A. Connell Rink and Pool, Weymouth, for an extension of time from September 15, 1997 to November 15, 1997, due to time needed for regulatory approval process for removal of asbestos demolition debris from the interior and exterior of the facility.
The Commission V O T E D: to approve an extension of time from September 15, 1997 to November 15, 1997, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of September 19, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Brooks and Kane, September 22, requesting that the Commission Amend its vote of September 11, 1997, by correcting low bid to read $194,176.90 rather than $194,174.50, on Contract No. P97-1913-C1A, with Langton and Douglas Contracting, Inc., for Historic Stables Renovation, Charles River Basin, O'Brien Highway and Land Boulevard, Cambridge.
(All other provisions of the vote will remain unchanged).
The Commission V O T E D: to Amend its vote of September 11, 1997, by correcting low bid to read $194,176.90 rather than $194,174.50, on Contract No. P97-1913-C1A, with Langton and Douglas Contracting, Inc., for Historic Stables Renovation, Charles River Basin, O'Brien Highway and Land Boulevard, Cambridge. All other provisions of the vote will remain unchanged.

3. Report of Messrs. Faucher, Carrigan and Machado, September 17, recommending approval of a revision in quantities on Item No. 008-010 - Bituminous Concrete for Driveways and Patching - $25,000.00, on Contract No. P96-1863-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan District.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 002-010 - Cold Planing).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Baratta, September 5, requesting approval and execution of Amendment No. 6, for an increase in an amount not-to-exceed $84,980.00, to provide continuity in construction inspection services, on Contract No. WM95-061-D1A, with Weston and Sampson Engineers, for Fast Track Sewer System Design.

At this point, Mr. Baratta stated that Weston and Sampson Engineers, has requested an extension of time from September 30, 1997 through December 31, 1997, in order to complete work leading to preparation of the final E1R documents.
Funding from Account No. 2420-7961.
The Commission V O T E D: to approve Amendment No. 6.
The Secretary then submitted for signature Amendment No. 6, dated September 25, 1997, to Contract No. WM95-061-D1A, with Weston and Sampson Engineers, which was signed by the Commissioner and three Associate Commissioners.
The Commission further V O T E D: to approve an extension of time from September 30, 1997 through December 31, 1997, as requested by Mr. Baratta, on Contract No. WM95-061-D1A, with Weston and Sampson Engineers, for Fast Track Sewer System Design.

1. Report of Mr. McGinn, September 19, requesting authorization for the Director of the Division of Watershed Management, in conjunction with the Director of the MWRA Waterworks Division, to jointly submit to DEP their 'Request for Review and Revision of MDEP Determination That Filtration is Required for Wachusett Reservoir Pursuant to Paragraph 25 of Consent Order, DEP File No. P92-5134'.
The Commission V O T E D: authorization for the Director of the Division of Watershed Management, in conjunction with the Director of the MWRA Waterworks Division, to jointly submit to DEP their 'Request for Review and Revision of MDEP Determination That Filtration is Required for Wachusett Reservoir Pursuant to Paragraph 25 of Consent Order, DEP File No. P92-5134'.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Doak, September 15, recommending renewal of certain ice skating concessions for the 1997-1998 winter season, as follows -

LOCATION	CONCESSIONAIRE	PERMIT FEE
Allied Veterans Rink Elm Street Everett	Everett Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Alexander S. Bajko Rink Turtle Pond Parkway Hyde Park	Hyde Park Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Robert M. Devine Rink MOrrissey Boulevard Dorchester	Dorchester Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Emmons-Horrigan-O'Neil Rink Rutherford Avenue Charlestown	Charlestown Youth Hockey	$1.00 per season - plus $100.00 per month for utilities

LOCATION	CONCESSIONAIRE	PERMIT FEE
Rev. Romano Simoni Rink Gore Street Cambridge	Cambridge Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Walter D. Bryan Rink VFW Parkway West Roxbury	Parkway Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Reilly Memorial Rink Cleveland Circle Brighton	All-Bright Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Connery Memorial Rink Shepard Street Lynn	Lynn Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Flynn Memorial Rink Woodland Road Medford	Tri City Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Porrazzo Memorial Rink Constitution Beach East Boston	East Boston Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Connell Memorial Rink Broad Street Weymouth	Weymouth Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Veterans Memorial Rink Somerville Avenue Somerville	Somerville Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Waltham Memorial Rink Totten Pond Road Waltham	Waltham Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Daly Memorial Rink Nonantum Road Brighton	North End Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
William T. Shea Rink Willard Street Quincy	Milton Youth Hockey	$1.00 per season - plus $100.00 per month for utilities

LOCATION	CONCESSIONAIRE	PERMIT FEE
Anthony A. LoConte Rink, Veterans Memorial Parkway, Medford	Medford Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Paul W. Cronin Arena Revere Beach Parkway Revere	Revere Youth Hockey	$1.00 per season - plus $100.00 per month for utilities
Francis L. Murphy Rink William J. Day Blvd. South Boston	South Boston Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.

Associate Commissioner Carr asked if all of the Youth Hockey Groups paid their fees for the 1996-1997 season. Secretary Chisholm stated that North End Youth Hockey was delinquent on their payment for the Concession at the Daly Rink, Brighton for the 1996-1997 season. However, he stated, they did clear up their delinquency with a payment of $326.00 on September 24, 1997.
The Commission V O T E D: Approved as recommended by Mr. Doak in his report of September 15, 1997.

Adjourned at 9:40 a.m., to meet on Thursday, October 2, 1997, at 9:00 a.m.

William J. Quill
Secretary

Record of the Three Thousand Eight Hundred and Twenty Seventh (3827th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 2, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on September 18, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P97-1915-C1A, dated October 2, 1997, with Gibsons Roofs, Inc., for Demolition and Replacement of the Roof at the Almy's Building, Brighton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Carrigan and Machado, September 22, recommending approval of revisions in quantities on Contract No. P96-1864-C1A, with D & R General Contracting, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan District, as follows -

Item No. 009-010 - Curbing or Edging Removed	- $ 14,550.00
Item No. 011-010 - Granite Edgestone (Straight)	- $ 92,125.00
Item No. 015-010 - Pavement Trimming	- $ 5,500.00
Total	= $112,175.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Items 018-010 - Cement Concrete Sidewalk, Medians and Traffic Islands, One Course 4" Thick; 019-010 - Cement Concrete Sidewalk, Driveways, Medians and Traffic Islands, One Course 6" Thick and 020-010 - Pedestrian Ramps).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Mayhew, September 24, recommending approval of an extension of time from July 10, 1997 to October 8, 1997, on Contract No. P97-1883-C1A, with MRP Site Development, Inc., for Demolition of the Peter J. Kelly Ice Skating Rink, Jamaica Plain.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from July 10, 1997 to October 8, 1997, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of September 24, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher, Brooks and Mayhew, September 19, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P98-1931-C1A, for Replacement of Translucent Roof Panels at

Emmons-Horrigan Ice Skating Rink, Charlestown.
Estimated Cost - $30,000.00.
Time for Performance - two months.
Account No. 2440-9800.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1931-C1A, for Replacement of Translucent Roof Panels at Emmons-Horrigan Ice Skating Rink, Charlestown.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, September 24, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Burleigh Stanton, of $2,591.00; to purchase approximately 11,291 board feet of timber, 110 cords of firewood and 8 cords of pulp on Timber Lot No. 129A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ducat Lumber, of $7,414.99; to purchase approximately 61,525 board feet of timber, 274 cords of firewood and 247 of pulp on Timber Lot No. 144 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ducat Lumber, of $4,570.75; to purchase approximately 56,771 board feet of timber and 200 tons of whole tree wood on Timber Lot No. 18 - Sudbury Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Tommila Bros., Inc., of $4,182.45; to purchase approximately 36,540 board feet of timber and 169 cords of firewood on Timber Lot No. 242A - Ware River Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of T. Jepson & Son, of $2,100.00; to purchase approximately 13,008 board feet of timber, 92 cords of firewood and 1,059 tons of whole tree wood on Timber Lot No. 265 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprise, of $20,145.00; to purchase approximately 206,180 board feet of timber, 43 cords of firewood and 100 tons of pulp on Timber Lot No. 789 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprise, of $13,526.00; to purchase approximately 140,311 board feet of timber, 8 cords of firewood and 36 tons of pulp on Timber Lot No. 790 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Puffer Forest Products, of $473.40; to purchase approximately 30 cords of firewood on Timber Lot No. 791 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Puffer Forest Products, of $568.08; to purchase approximately 36 cords of firewood on Timber Lot No. 792 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid that of Conkey Logging & Lumber, of $2,925.95; to purchase approximately 36,527 board feet of timber, 86 cords of firewood and 23 cords in tops on Timber Lot No. 793 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Wagner Wood, of $42,545.00; to purchase approximately 148,430 board feet of timber, 150 cords of firewood and 78 cords in tops on Timber Lot No. 794 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid that of Wagner Wood, of $9,767.00; to purchase approximately 94,175 board feet of timber, 223 cords of firewood and 85 tons of pulp on Timber Lot No. 795 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Wagner Wood, of $22,099.00; to purchase approximately 169,440 board feet of timber, 162 cords of firewood and 60 tons of pulp on Timber Lot No. 797 - Quabbin Reservoir Watershed.

1. Report of Messrs McGinn and Kane, September 15, requesting approval of Extra Work Order No. 7 - for restoration of masonry and iron work and replacement windows at the Sudbury Dam Gatehouse - at a cost of $85,840.35, on Contract No. WM93-060-C1A, with WES Construction Corporation, for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough.
(This request will increase the Contract cost to $1,252,328.47).
Account No. 2422-1442.
The Commission V O T E D: to approve Extra Work Order No. 7, in the amount of $85,840.35.

2. Report of Mr. Robert O'Connor and Ms. Zilligen, September 19, requesting approval of an extension of time from October 1, 1997 to November 15, 1997, on Contract No. WM97-084-C1A, with South Shore Fence, for North Dike Fencing - Wachusett Reservoir.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from October 1, 1997 to November 15, 1997, as requested by Mr. O'Connor and Ms. Zilligen in their report of September 19, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien and Mr. Driscoll, September 23, requesting approval and execution of Amendment No. 6, for an increase in Compensation of $52,201.51, for brochure printing and construction services for Phase 1, on Contract No. PL-92-017-S1A, with Carol R. Johnson Associates, for Upper Charles River Reservation Restoration - Master Plan and Design Services.
Account No. 2490-0017.
The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 6, dated October 2, 1997, to Contract No. PL-92-017-S1A, with Carol R. Johnson Associates, which was signed by the Commissioner and four Associate Commissioners.

Adjourned at 10:10 a.m., to meet on Thursday, October 9, 1997, at 9:00 a.m.

William J. Cruslow
Secretary

Record of the Three Thousand Eight Hundred and Twenty Eighth (3828th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 9, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on September 25, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Abounaja and Miss Overton, September 23, requesting approval of Amendment No. 1, in the amount of $67,264.00, for Phase II Comprehensive Site Assessment Services on Contract No. P95-1768-D1A, with Gale Associates, Inc., for Licensed Site Professional Services for Various MDC Facilities.
Account No. 2490-8910.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Lespasio and Mrs. O'Brien, October 1, recommending approval of a revision in quantities on Item No. 027-020 - Curved Granite Walking Curb - $25,300.00, on Contract No. PL82-1022-C1A, with R. H. D. Construction Company, Inc., for Revere Landing Park, Charlestown.
Account No. 2449-6033.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Kane, September 22, requesting approval of an extension of time from October 31, 1997 to November 30, 1997, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from October 31, 1997 to November 30, 1997, as requested by Messrs. McGinn and Kane in their report of September 22, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. McGinn and Kane, September 24, requesting approval of an extension of time from October 31, 1997 to December 31, 1997, on Contract No. WM94-008-C1A, with S.J.V. Electric, Inc., to Furnish and Install Emergency Electrical Generation and Associated Work at Quabbin Administrative Complex/Belchertown.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from October 31, 1997 to December 31, 1997, as requested by Messrs.

McGinn and Kane in their report of September 24, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. McGinn and Robert O'Connor, October 2, recommending that the Commission rescind its votes as follows -
July 27, 1995 - accepting the highest qualified bid, that of William Fisher, of $34,614.00; to purchase approximately 364,878 board feet of sawlogs, 14 cords of firewood and 441 tons of pulp on Timber Lot No. 709 - Quabbin Reservoir Watershed.
December 12, 1996 - accepting the highest qualified bid, that of Curtis Lumber of $29,662.00; to purchase approximately 280,886 board feet of sawlogs, 20 cords of firewood and 921 tons of pulp on Timber Lot No. 699A - Quabbin Reservoir Watershed.
Messrs. McGinn and Robert O'Connor further recommend that the Commission refund the bid of $34,114.00 on Lot No. 709 and retain the $500.00 deposit.
They further recommend that the Commission retain the bid deposit of $3,000.00 on Lot No. 699A - The final payment of $26,662.00 was not made, so no refund is necessary.
The Commission V O T E D: to rescind its vote of July 27, 1995, accepting the highest qualified bid, that of William Fisher, of $34,614.00; to purchase approximately 364,878 board feet of sawlogs, 14 cords of firewood and 441 tons of pulp on Timber Lot No. 709 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to rescind its vote of December 12, 1996, accepting the highest qualified bid, that of Curtis Lumber of $29,662.00; to purchase approximately 280,886 board feet of sawlogs, 20 cords of firewood and 921 tons of pulp on Timber Lot No. 699A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to refund the bid of $34,114.00 on Lot No. 709 and retain the $500.00 deposit.
The Commission further V O T E D: to retain the bid deposit of $3,000.00 on Lot No. 699A.

2. Report of Mr. McGinn, October 3, recommending approval and authorization for the Director of Watershed Management to execute, on behalf of the Commission, a Memorandum of Agreement between the MDC and Friends of Wachusett for use and improvements to the Stillwater Farm, located on Route 140 at Route 62 in Sterling.
Associate Commissioner Wu questioned the viability of the Friends of Wachusett.
Mr McGinn explained that the Friends of Wachusett have put together a workable plan and have raised substantial funds dedicated to stabilization and repairs to the Stillwater Farm. He noted that the 'Friends' have raised $40,000.00 to date and have pledges which increase the sum to nearly $80,000.00. The fund raising will continue, he noted.
The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for the Director of Watershed Management to execute, on behalf of the Commission, a Memorandum of Agreement between the MDC and Friends of Wachusett for use and improvements to the Stillwater Farm, located on Route 140 at Route 62 in Sterling.

1. Report of Messrs. McGinn and Baratta, October 6, requesting authorization for the Contract Administrator to invite three firms to submit proposals for Fast Track Sewer Project - Sewer User Rate Assessment, City of Worcester - WM98-061-S1A.
Estimated Time for Performance - three months.
Estimated Cost - $25,000.00.
Account No. 2420-7961.
The Commission V O T E D: authorization for the Contract Administrator to invite three firms to submit proposals for Fast Track Sewer Project - Sewer User Rate Assessment, City of Worcester - WM98-061-S1A.

Action was taken upon the following matters relating to the Office of Planning:

1. Report of Mrs. O'Brien, October 6, recommending that the Commission approve in concept the reconfiguration of Santilli Circle, Everett and to accept in concept an easement over the 18.7 acres to be known as Gateway Park.
Mrs. O'Brien presented a brief history of the project.
At this point, Gregory B. Carey, Senior Vice President of Development for Rosen Associates was introduced and spoke of the conceptual plans proposed by his firm for Gateway Center.
He explained that Gateway Center will be located on the former Monsanto Company site at Route 16 and Mystic View Road, Everett, on 88 acres of land.
The development, he noted, will consist of a shopping center and a park which will represent an investment of $60,000,000.00.
The shopping center will include 650,000 square feet of retail tenants including restaurants, department stores, a supermarket and a cinema, he pointed out.
The Gateway Park, he noted, will be a 28 acre waterfront park along the Malden River which will be constructed and maintained by Rosen Associates and open to the public.
Mr. Carey then explained that the Executive Office of Environmental Affairs, through MEPA along with the City of Everett's Planning Board and Conservation Commission, have given their approval to the project.
Bruce Campbell of Bruce Campbell Associates, Inc., Transportation Engineers and Planners, then spoke of the proposed improvements to Santilli Circle, which, he explained, will include the elimination of the general rotary concept; installation of two interconnected traffic signals and installation of dedicated slip ramps for key turns. The phases of design, he stated, will include topographic survey; preliminary design; preparation of final contract documents and construction services.
The approximate design cost for Santilli Circle will be $300,000.00 and construction cost will be approximately $2,500,000.00, he explained.

Mr. Campbell then spoke of improvements to the existing two lane Mystic View Road. Proposed plans, he noted, call for upgrading the road to four lanes with landscaped median, lighting and sidewalks. The design, he explained, will cost $58,000.00 and construction $600,000.00.
Associate Commissioner Elkort spoke of her concern for safety and traffic considerations in the area and asked that they be addressed at an early stage of the project.
Following a lengthy question and answer period, the Commission V O T E D: to approve in concept, the reconfiguration of Santilli Circle, Everett.
The Commission further V O T E D: to accept in concept an easement over the 18.7 acres to be known as Gateway Park.

1. Report of Mrs. O'Brien, October 6, recommending approval of the issuance of a permit to Robert Kelley to eel trap in the Charles and Mystic Rivers for the remainder of 1997 and 1998 and direct the Secretary to prepare and issue the permit.
Associate Commissioner Wu recommended that the Permittee have sample testing for toxins performed prior to any sale of eels for human consumption.
The Commission V O T E D: to approve the issuance of a permit to Robert Kelley to eel trap in the Charles and Mystic Rivers for the remainder of 1997 and 1998.
The Commission further V O T E D: to direct the Secretary to prepare and issue the permit.

Action was taken upon the following Various Matters:

2. Report of Miss Overton and Mr. Traficante, October 3, requesting authorization to transfer certain records to the State Archives and to the State Library for permanent retention and to destroy inactive non-archival records pertaining to water supply and sewerage.
Associate Commissioner Elkort noting the value of old records asked that the inactive non-archival records pertaining to water supply and sewerage be retained in Commission storage.
The Commission V O T E D: authorization to transfer certain records to the State Archives and to the State Library for permanent retention, as requested by Miss Overton and Mr. Traficante in their report of October 3, 1997.

3. Report of Mr. French, October 7, requesting approval of assignment and modification of the Head of the Charles Regatta Permit from Head-of-the-Charles Regatta Fund to Head of the Charles Regatta, Inc., pursuant to an agreement between those parties dated September 29, 1997 and effective as of October 1, 1997.
In addition, it is recommended that the Commission approve modification of Section 1 of the Permit Agreement as follows -
TERM
This Permit shall be valid for the following dates:
(1) October 18, 1995 through October 23, 1995;
(2) October 16, 1996 through October 21, 1996;
(3) October 15, 1997 through October 20, 1997;

(4) October 14, 1998 through October 19, 1998;
(5) October 13, 1999 through October 18, 1999;
(6) October 16, 2000 through October 23, 2000;
(7) October 15, 2001 through October 22, 2001;
(8) October 14, 2002 through October 21, 2002;
It is further requested that Commissioner Balfour be authorized to execute the modification on behalf of the Commission.
The Commission V O T E D: to approve assignment and modification of the Head of the Charles Regatta Permit from Head-of-the-Charles Regatta Fund to Head of the Charles Regatta, Inc., pursuant to an agreement between those parties dated September 29, 1997 and effective as of October 1, 1997.
The Commission further V O T E D: to approve modification of Section 1 of the Permit Agreement, as recommended by Mr. French in his report of October 7, 1997.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the modification on behalf of the Commission.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, October 7, recommending that the Commission approve and execute a document confirming and ratifying the Joint Management and License Agreement with the City of Quincy, authorized and executed by vote of the Commission on July 10, 1997, and to confirm finding under Chapter 30 of the General Laws, Section 61, as amended.
The Commission V O T E D: Approved.
The Secretary then submitted for signature document, dated October 9, 1997, confirming and ratifying the Joint Management and License Agreement with the City of Quincy, authorized and executed by vote of the Commission on July 10, 1997, which was signed by the Commissioner and three Associate Commissioners.
The Commission further V O T E D: to confirm finding under Chapter 30 of the General Laws, Section 61, as amended.

Adjourned at 10:40 a.m., to meet on Thursday, October 16, 1997, at 9:00 a.m.

William F. Gould
Secretary

Record of the Three Thousand Eight Hundred and Twenty Ninth (3829th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 16, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 2, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

1. Amendment, dated October 16, 1997, to Contract No. P82-1120-D1A, with Sasaki, Inc., for Drainage and Irrigation System Rehabilitation for Ponkapoag Golf Course.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and McCalla, October 7, recommending approval of a revision in quantities on Item No. 6 - Materials, Components, Parts and Equipment - $43,800.00, on Contract No. P96-1861-M1A, with Coviello Electric and General Contracting Company, Inc., for Electrical and Electronic Sound System Maintenance.
(At no increase in Contract cost as the revision will be offset by unused quantities in Items 1, 2, 3 and 4).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Soroka, October 9, requesting approval to change the source of funding in the amount of $30,000.00 from Account No. 2444-9001 to Account No. 2490-0009, on Contract No. P96-1838-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts, in order to maximize the source of funding available.
The Commission V O T E D: approval to change the source of funding in the amount of $30,000.00 from Account No. 2444-9001 to Account No. 2490-0009, on Contract No. P96-1838-M1A, with Coviello Electric and General Contracting Co., Inc., as requested by Messrs. Faucher and Soroka in their report of October 9, 1997.

4. Report of Messrs. Faucher and Traficante, October 10, recommending ratification of the action of Acting Director Faucher resulting in a revision in quantities on Item No. 003 - backfill - $2,602.50, on Contract No. P97-1884-C1A, with Costello Dismantling Co., Inc., for Demolition of Two Structures and Site Cleanup at the Abigail Adams Park, Weymouth.
(At no increase in Contract cost as the revision will be offset by unused quantities in Items 005, 006 and 008).
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in a revision in quantities on Item No. 003 - backfill, on Contract No. P97-1884-C1A, with Costello

Dismantling Co., Inc.
The Commission further V O T E D: to approve the revision in quantities on Item No. 003, in the amount of $2,602.50.

1. Report of Mr. Faucher and Mrs. Graves-Jones, October 10, recommending approval of a revision in quantities on Item No. 001-010 - 4" Reflectorized Line (Paint) - $2,158.45, on Contract No. P96-1822-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on MDC Parkways and Roadways. (At no increase in Contract cost as the revision will be offset by unused quantities in Items 003-010, 004-010, 006-010, 007-010, 009-010 and 010-010).
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, October 15, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.52 acres of land owned by Rebecca R. Young, located in the Town of Clinton, Massachusetts, and to approve an award of damages in the amount of $52,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1401.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.52 acres of land owned by Rebecca R. Young, located in the Town of Clinton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, October 16, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Clinton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Wilson Street, a public way within the layout of Boylston Street, Routes 62 & 70, identified, in previous legal documents as 518 Wilson Street, Lot 2, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel herein being described, at a stone monument on the easterly line of Wilson Street, at land, formerly of Henry Kraemer, now of the Commonwealth of Massachusetts, Metropolitan District Commission, and at land of the 518 Wilson Street Condominium Association;

Thence Southerly along the arc of a curve to the right, having a radius of 120.00 feet, an arc distance of 110.00 feet, said arc being subtended by a central angle of 28° 19′ 00", to a point of tangency;

Thence S. 54° 44′ 36" E., 192.00 feet, to a point;

Thence N. 37° 35′ 27" E., 83.47 feet, to a point at land of the Commomwealth of Massachusetts, formerly of the aforesaid Kraemer, the last three courses being by land of the 518 Wilson Street Condominium Association;

Thence S. 54° 44′ 36" E., 171.43 feet, to a stone bound found at the southeasterly corner of land formerly of Kraemer, and at land formerly of Margaret G. Mc Namara & Annie M.V. O'Toole, now of the Commonwealth of Massachusetts, MDC;

Thence On the same bearing, 13.63 feet, to a point at the northeasterly corner of the parcel herein being described;

Thence S. 35° 15′ 24" W., 100.00 feet, to the southeasterly corner of the parcel herein being described, and a stone bound found at the northeasterly corner of land, formerly of Caroline L. Bates, now of the Commonwealth of Massachusetts, MDC;

Thence N. 54° 44′ 36" W., 426.50 feet, by land , formerly of Bates, now of the Commonwealth, to a point in the westerly line of Wilson Street;

Thence N. 23° 18′ 05" E., 94.08 feet, by the westerly line of Wilson Street, to a point;

Thence N. 33° 52′ 04′E., 7.96 feet, by the westerly line of Wilson Street, to the first mentioned stone monument, being the point and place of beginning.

Containing 22,639 square feet, more or less, as shown as Lot 2 upon an unrecorded survey plan prepared for former owner(s) of the property, a reduced copy of which is attached hereto, labeled EXHIBIT A, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Gerry Hardy to Rebecca R. Young, dated 11th October 1996 and recorded with Worcester District Registry of Deeds at Book 18327, Page 273.

The above described property is further identified as a portion of the parcel shown upon the survey plan recorded with said Deeds as Plan 64 in Plan Book 537.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Rebecca R. Young	$ 52,500.00

The Commission further V O T E D: to approve an award of damages in the amount of $52,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 9:40 a.m., to meet on Thursday, October 23, 1997, at 9:00 a.m.

William F. Cusack
Secretary

Record of the Three Thousand Eight Hundred and Thirtieth (3830th) meeting of the Metropolitan District Commission duly called and held at the Metropolitan District Commission Dealtry Swimming Pool Office, 64 Pleasant Street, Watertown, Massachusetts, on Thursday, October 23, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 9, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P97-1913-C1A, dated October 23, 1997, with Langton and Douglas Contracting, Inc., for Historic Stables Renovation, Charles River Basin, O'Brien Highway and Land Boulevard, Cambridge.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Machado, October 14, recommending approval of the following on Contract No. P96-1863-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan District -
   1. Extra Work Order No. 2 - for Modified Asphaltic Plug Type Joint - $265,000.00.
      Funded from Account No. 2490-0017.
   2. Revision in Quantities - Item No. 022-010 - for Temporary Pavement Markings Paint - $3,080.00.
      (At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 021-010 - Traffic Control Services).

   The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $265,000.00.
   The Commission further V O T E D: to approve the Revision in Quantities on Item No. 022-010, in the amount of $3,080.00.

3. Report of Messrs. Faucher, Carrigan and Machado, October 16, recommending approval of the request of D & R General Contracting, Inc., Contractor on Contract No. P96-1863-C1A, for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan District, to engage the services of Superior Sealcoat, Inc., as sub-contractor for Extra Work Order No. 2 - to furnish and install asphaltic joints, at a value of $174,300.00.
   The Commission V O T E D: Approved as recommended by Messrs. Faucher, Carrigan and Machado in their report of October 16, 1997.

4. Report of Messrs. Faucher and Machado, October 15, recommending approval of an extension of time from October 28, 1997 to June 30, 1998, on Contract No. P96-1863-C1A, with D & R General Contracting Co., Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.

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The Commission V O T E D: to approve an extension of time from October 28, 1997 to June 30, 1998, as recommended by Messrs. Faucher and Machado in their report of October 15, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Sacco, October 16, recommending approval of the request of the Contractor for an extension of time from October 23, 1997 to June 30, 1998, on Contract No. P85-1341-C1A, with John J. Paonessa Co., Inc., for Rehabilitation of Lynn Shore Drive, Lynn, Nahant and Swampscott.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from October 23, 1997 to June 30, 1998, as recommended by Messrs. Faucher and Sacco in their report of October 16, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Jackson, October 3, submitting for approval Work Schedule Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1934-C1A, for Selective Clearing Bellevue Hill, West Roxbury.
Estimated Cost - $49,000.00.
Time for Performance - nine months.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1934-C1A, for Selective Clearing Bellevue Hill, West Roxbury.

3. Report of Messrs. Faucher and Lenhardt, September 30, recommending the following on Contract No. P93-1675-C1A, with S.P.S. New England, Inc., for Boston University Bridge Deck/Joint Repairs Boston/Cambridge -
(a) That work be accepted as completed as of August 29, 1997.
(b) That Estimate No. 1 (Final), in the amount of $76,564.96, be approved for payment.
(c) That reserve, in the amount of $4,029.74, be approved for payment.
(Basis of Award - $98,125.00)
(Amount to Date - $80,594.70)
(Contract Performance Rating - 3.67)
(EEO Compliance - 2.33)
The Commission V O T E D: that the work of S.P.S. New England, Inc., Contractor under Contract No. P93-1675-C1A, be and hereby is accepted as completed as of August 29, 1997.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $76,564.96, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,029.74, for payment.

4. Report of Mr. Faucher and Mrs. Graves-Jones, October 17, recommending approval of a revision in quantities on Item No.

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001-010 - 4" Reflectorized Line (Paint) - $1,617.00, on Contract No. P96-1822-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC.
Account No. 2490-0012.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Terzian and Higgott, October 17, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise, subject to EOEA approval, Project No. P98-1940-C1A, for Charles River Locks and Dam Sluice and Culvert Gate Removal and Replacement.
Estimated Cost - $640,000.00.
Time for Performance - approximately seven months.
Account No. 2440-8950.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise, subject to EOEA approval, Project No. P98-1940-C1A, for Charles River Locks and Dam Sluice and Culvert Gate Removal and Replacement.

2. Report of Mr. Faucher and Ms. Pomorska, October 15, recommending approval of revisions in quantities on Contract No. P96-1837-M1A, with Coviello Electric and General Contracting Co., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts, as follows -

Item No. 004-020 - Labor Rate Lic. Elec.	-	$ 5,000.00
Item No. 004-030 - Labor Rate for Helper	-	$ 7,700.00
Item No. 005-010 - Hourly Rate for Vehicle	-	$ 7,000.00
Item No. 009-010 - Pedestrian Pushbutton	-	$ 1,500.00
Total	=	$21,200.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 002-010, 003-020, 006-010, 007-010, 007-020, 011-010 and 011-020).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and DeLuca, October 8, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on Contract No. P96-1840-C1A, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Main Pool and Installation of New Filtration System at the Hyde Park (Olsen) Pool, as follows -

Item No. 002-004 - Trench Excavation & Backfill	-	$1,260.00
Item No. 009-004 - Painting (Epoxy) Pool Walls & Bottom	-	$ 229.00
Item No. 011-007 - New 2" Sched. 80 Pipe	-	$ 420.00
Total	=	$1,909.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 003-009 - New Bituminous Concrete Finish and Binder Courses (3" Min.).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P96-1840-C1A.
The Commission further V O T E D: to approve the revisions in quantities in the amount of $1,909.00.

1. Report of Messrs. Faucher, Brooks and Haider, October 15, recommending approval of an extension of time from October 20, 1997 to November 20, 1997, on Contract No. P97-1907-C1A, with P. J. Kennedy & Sons, Inc., for Installation of a 10 inch Diameter Sewer Line in Hull at the Central Service Complex.
The Commission V O T E D: to approve an extension of time from October 20, 1997 to November 20, 1997, as recommended by Messrs. Faucher, Brooks and Haider in their report of October 15, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Mayhew, September 25, recommending the following on Contract No. P96-1856-C1A, with Reliable Roofing, Inc., for Installation of New Roofing at Robert M. Devine Rink, Dorchester -
(a) That work be accepted as completed as of August 29, 1997.
(b) That Estimate No. 2 (Final), in the amount of $8,265.00, be approved for payment.
(c) That reserve, in the amount of $4,350.00, be approved for payment.
(Basis of Award - $87,000.00)
(Amount to Date - $87,000.00)
(Contract Performance Rating - 78 with 100 being excellent)
(EEO Compliance - 4.17)
The Commission V O T E D: that the work of Reliable Roofing, Inc., Contractor under Contract No. P96-1856-C1A, be and hereby is accepted as completed as of August 29, 1997.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $8,265.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,350.00, for payment.

3. Report of Messrs. Faucher, Brooks and Kane, October 16, requesting that the only bid received, that of P. J. Kennedy & Sons, Inc., of $241,730.00, for Project No. P97-1914-C2A - Waiting Room Rehabilitation in Hull, be rejected because it was considerably higher than the Engineers Estimate.
(Messrs. Faucher, Brooks and Kane further request authorization to readvertise a scaled down project, estimated at a cost of $135,000.00).
Time for Performance - ninety days.
The Commission V O T E D: to reject the only bid received, that of P. J. Kennedy & Sons, Inc., of $241,730.00, for Project No. P97-1914-C2A - Waiting Room Rehabilitation in Hull, as requested by Messrs. Faucher, Brooks and Kane in their report of October 16, 1997.
The Commission further V O T E D: authorization to readvertise a scaled down project, estimated at a cost of $135,000.00.

4. Report of Messrs. Faucher and Machado, October 15, recommending approval of the action of Acting Director Faucher, on Contract No. P96-1862-C1A, with South Shore Fence Co., Inc., for Installation of Closure Gates, Guard Rail and Fences at Various

Locations of the Metropolitan Park System, resulting in revisions in quantities, as follows -

Item No. 035-010 - SS Type Steel Guardrail	- $22,000.00
Item No. 037-010 - Terminal End Section	- $ 1,331.70
Item No. 043-010 - Painting Metal Posts	- $22,659.00
Item No. 066-010 - 3 and 5 Strand Barbed Wire	- $ 184.00
Item No. 071-010 - Painting Chain Link Fence	- $ 89.60
Item No. 087-010 - Monthly Transportation Vehicle	- $15,147.44
Total =	$61,411.74

(The cost of the revisions will be offset by unused quantities in Item Nos. 010-010 - Installation of Double Leaf Closure Gates, 018-010 - Furnish and Install Individual Single Leaf Swivel Post, and 068-010 - Furnish, Install, Repair or Replace 6 Gauge Black Vinyl Chain Link Fence 4 ft. to 4 ft, 6 inches high).
(Messrs. Faucher and Machado further recommend an extension of time from November 19, 1997 to June 25, 1998).
The Commission further V O T E D: to approve the action of Acting Director Faucher, on Contract No. P96-1862-C1A, which resulted in revisions in quantities.
The Commission further V O T E D: to approve the revision in quantities, in the amount of $61,411.74.
The Commission further V O T E D: to approve an extension of time from November 19, 1997 to June 25, 1998, as recommended by Messrs. Faucher and Machado in their report of October 15, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Haider, October 17, recommending approval of the action of Acting Director Faucher resulting in Extra Work Orders as follows on Contract No. P97-1895-C1A, with P. J. Kennedy & Sons, Inc., for Installation of New H.V.A.C. Systems at Bajko, Bryan and Connery Ice Skating Rinks -

Extra Work Order No. 1	**$10,200.00**
Converting the existing power flame gas and oil combination burner to gas at the Bajko Rink - including labor and materials.	
Extra Work Order No. 2	**$ 1,274.00**
Installation of new double boiler room entrance door with all new hardware.	
Extra Work Order No. 3	**$ 3,150.00**
Installation of new 9' x 8' roll-up door.	
Extra Work Order No. 4	**$ 6,943.75**
Design and installation of a snow melting system for the Zamboni room.	
Total =	**$21,567.75**

Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order Nos. 1, 2, 3 and 4, on Contract No. P97-1895-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $10,200.00.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $1,274.00.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $3,150.00.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $6,943.75.

1. Report of Messrs. Faucher and Machado, October 17, recommending approval of the following on Contract No. P96-1864-C1A, with D & R General Contracting, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District -

Extra Work

Extra Work Order No. 1 - Site Grading - $17,200.00

Revision in Quantities

Item No. 001-010 - Unclassified Excavation - $37,600.00
Item No. 003-010 - Gravel Borrow - $29,000.00

Account No. 2449-0003.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $17,200.00.
The Commission further V O T E D: to approve the Revisions in Quantities, as recommended by Messrs. Faucher and Machado in their report of October 17, 1997.

2. Report of Messrs. Faucher and Machado, October 17, recommending approval of revisions in quantities on the following items on Contract No. P96-1863-C1A, with D & R General Contracting, Inc., for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District, as follows -

Item No. 007-010 - Bituminous Concrete - $102,000.00
Item No. 022-010 - Temporary Pavement Markings 4" Painting - $ 77.00

Total = $102,077.00

Account No. 2449-0003.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Mr. McGinn and Ms. Carr, September 15, requesting approval of an extension of time from November 30, 1997 to June 30, 1998, on Contract No. WM96-079-X1A, with the Nashua River Watershed Association, for Wachusett Watershed Technical Assistance.
The Commission V O T E D: Approved.

4. Report of Messrs. McGinn and Kane, October 15, requesting approval of Extra Work Order No. 8 - for furnishing and installing two prezometers in the core walls in the east and west embankments of the Sudbury Reservoir Dam - at a cost of $6,584.58, on Contract No. WM93-060-D1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough.
(At no increase in Contract cost as the cost of the Extra Work Order will be offset by unused quantities in Item No. 02145.2 - furnish, install, develop, test and abandon additional pressure relief wells as directed).
The Commission V O T E D: to approve Extra Work Order No. 8, in the amount of $6,584.58.

1. Report of Messrs. McGinn and Kane, October 15, on bids for Electric Power Connection, MDC Maintenance Yard, Clinton, Contract No. WM98-076-C1A.
(Messrs. McGinn and Kane recommend acceptance of the lowest bid received, that of United Electric Company, of $9,200.00).
The Commission V O T E D: to accept the lowest bid received, that of United Electric Company, of $9,200.00.

2. Report of Messrs. McGinn and Kane, October 6, requesting approval of the request of WES Construction Corp., Contractor on Contract No. WM93-060-C1A, for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough, to engage the services of Fenway Lock Service, as sub-contractor to remove and dispose of existing windows of the gatehouse and furnish and install replacement units, at a value of $33,389.50.
The Commission V O T E D: Approved.

3. Report of Messrs. McGinn and Misslin, October 20, on bids for Sewer Line Installation, MDC Wilson Street Maintenance Yard, Clinton, Contract No. WM97-078-C1A.
(Messrs. McGinn and Misslin recommend acceptance of the lowest bid received, that of D'Allesandro Corporation of $70,011.50).
The Commission V O T E D: to accept the lowest bid received, that of D'Allesandro Corporation of $70,011.50.

Action was taken upon the following matter relating to the Office of Planning:

4. Report of Mrs. O'Brien, October 20, requesting approval for the addition of $350,000.00 in funding to Project No. PL-97-044-S1A, for Pope John Paul Park, Boston.
Account No. 2440-9800.
The Commission V O T E D: Approved as requested by Mrs. O'Brien in her report of October 20, 1997.

Action was taken upon the following Various Matters:

5. Report of Mr. Jewett, October 22, on behalf of the Consultant Selection Committee, recommending approval and authorization for Commissioner Balfour, to execute on behalf of the Commission, Contract No. PL-97-044-S1A, with Camp, Dresser & McKee, Inc., for Comprehensive Site Assessment and Landscape Design at Pope John Paul II Park, Lower Neponset River Area, Dorchester.
Time for Performance - estimated at twenty four months.
Estimated Compensation - $950,000.00, subject to negotiation.
Account Nos. 2449-8755 and 2440-9800.
The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of October 22, 1997.
The Commission further V O T E D: authorization for Commissioner Balfour, to execute on behalf of the Commission, Contract No. PL-97-044-S1A, with Camp, Dresser & McKee, Inc., for Comprehensive Site Assessment and Landscape Design at Pope John Paul II Park, Lower Neponset River Area, Dorchester.

6. Report of Mr. Jewett, October 22, on behalf of the Consultant

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Selection Committee, recommending approval and authorization for Commissioner Balfour, to execute on behalf of the Commission, Contract No. PL95-031-D1A, with Moriece & Gary, Inc., for Abigail Adams Park Design, Weymouth.
Time for Performance - estimated at twenty four months.
Estimated Cost - The Commission approved $50,000.00 on November 17, 1994. A request is now made to increase cost by $15,000.00 - bringing new cost to $65,000.00.
Account No. 2440-7958.
The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of October 22, 1997.
The Commission further V O T E D: authorization for Commissioner Balfour, to execute on behalf of the Commission, Contract No. PL95-031-D1A, with Moriece & Gary, Inc., for Abigail Adams Park Design, Weymouth.
The Commission further V O T E D: approval to increase the cost of Contract No. PL95-031-D1A, with Moriece & Gary, Inc., for Abigail Adams Park Design, Weymouth, by $15,000.00 - bringing new cost to $65,000.00.

1. Report of Mr. Jewett, October 22, on behalf of the Consultant Selection Committee, recommending approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. WM98-061-S1A, with Consultants to Management, Inc., for Fast Track Sewer Project - Sewer User Rate Assessment, City of Worcester.
Time for Performance - estimated at three months.
Estimated Cost - $25,000.00 - subject to negotiations.
Account No. 2420-7961.
The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of October 22, 1997.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. WM98-061-S1A, with Consultants to Management, Inc., for Fast Track Sewer Project - Sewer User Rate Assessment, City of Worcester.

Adjourned at 9:50 a.m., to meet on Thursday, November 13, 1997, at 9:00 a.m.

William J. Cheshire
Secretary

Record of the Three Thousand Eight Hundred and Thirty First (3831st) meeting of the Metropolitan District Commission duly called and held at the MDC Park Ranger Mounted Unit Stable, 685 Hillside Street, Milton, Massachusetts, on Thursday, November 13, 1997 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on October 16, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mr. Faucher and Mrs. Graves-Jones, October 30, recommending approval of revisions in quantities on the following items on Contract No. P96-1822-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, as follows -

Item No. 005-010	**$4,750.00**
Reflectorized Line (Thermoplastic)	
Item No. 010-010	**$ 900.00**
Traffic Control Services	
Total =	**$5,650.00**

Account No. 2490-0012.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and McCalla, November 4, recommending approval of an extension of time from November 22, 1997 to May 22, 1998, on Contract No. P97-1902-C1A, with Coviello Electric and General Contracting Co., Inc., for Electrical and Electronic System Improvement at Various MDC Ice Skating Rinks.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from November 22, 1997 to May 22, 1998, as recommended by Messrs. Faucher and McCalla in their report of November 4, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher, Brooks and Mayhew, October 22, recommending approval of an extension of time from August 15, 1997 to November 30, 1997, on Contract No. P97-1892-C1A, with Great Northern Corporation, for Demolition of the James E. Phelan Memorial Pool, West Roxbury.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from August 15, 1997 to November 30, 1997, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of October 22, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher, Brooks and Mayhew, October 24, recommending approval of an extension of time from October 20,

1997 to December 1, 1997, on Contract No. P97-1894-C1A, with G & R Construction, Inc., for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from October 20, 1997 to December 1, 1997, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of October 24, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Martinez, October 29, recommending approval of an extension of time from November 4, 1997 to December 30, 1997, on Contract No. P97-1915-C1A, with Gibsons Roofs, Inc., for Demolition and Replacement of the Roof a the Almy's Building, Brighton.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from November 4, 1997 to December 30, 1997, as recommended by Messrs. Faucher, Brooks and Martinez in their report of October 29, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Jackson, October 23, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P92-1628-C7A, for 1998 Parkway Landscape Improvements.
Estimated Cost - $300,000.00.
Time for Performance - twelve months.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P92-1628-C7A, for 1998 Parkway Landscape Improvements.

3. Report of Messrs. Faucher and Jackson, October 15, requesting approval of a $6,350.00 service contract with West Princeton Corp., for Furnishing and Installing New Sodding on the 13th Tee at Ponkapoag Golf Course.
Time for Performance - one month.
Account No. 2440-4000.
The Commission V O T E D: Approved.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

4. Report of Messrs. Faucher and Lespasio, October 8, recommending approval of the request of R.H.D. Construction Co., Inc., Contractor on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to engage the services of the following sub-contractors -

Charles Anthony Company Inc.	**$80,000.00**
Structural Steel, Misc. Metals, Timber Decking	
Majic Construction	**$60,000.00**
Excavation & Placement of Gravel and Gravel Borrow	

George J. Lyons d/b/a Conamara Construction $80,000.00
Reinforced Concrete (Marine)
(At no additional Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of October 8, 1997.

1. Report of Messrs. Faucher, Carrigan and Machado, October 17, recommending approval of a revision in quantities on Item No. 030-010 - Transportation Vehicle - $6,000.00, on Contract No. P96-1863-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 015-010 - Cement Concrete in front of edgestone).
The Commission V O T E D: Approved.

2. Report of Mr. Faucher and Mrs. Graves-Jones, November 4, recommending approval of revisions in quantities on the following items on Contract No. P96-1836-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts -

Item No. 002-010	**$21,275.00**
Materials, Components, Parts and Controls	
Item No. 004-020	**$ 4,600.00**
Labor Rate for Licensed Electrician (Serviceman)	
Item No. 005-010	**$ 1,600.00**
Labor Rate for Vehicle Misc. Repairs	
Item No. 018-010	**$ 600.00**
Traffic Signal Loop Detector Conductor	
Total =	**$28,075.00**

Account Nos. 2490-0009 and 2444-9001.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Mayhew, September 15, recommending approval of the action of Acting Director Faucher resulting in Alteration No. 2 - for Alterations to Viewing Deck No. 1 (Item No. 52) that is being installed on the Watertown Dam Embankment - at a cost of $12,813.13 - on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I.
Account No. 2490-0017.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Alteration No. 2, on Contract No. PL92-017-C1A.
The Commission further V O T E D: to approve Alteration No. 2, in the amount of $12,813.13.

4. Report of Messrs. Faucher and Jackson, October 31, recommending approval of the following on Contract No. P97-1908-C1A, with Ledgewood Construction Co., Inc., for Construction of a New Playground at Marine Park, South Boston -
   1. Extra Work Order No. 1 - for purchase and installation of four additional swings and removal of an old set of swings - $9,610.85.

2. An extension of time from August 11, 1997 to November 29, 1997 - due to eight week lead time to take delivery of the swings.
Account No. 2440-8956.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $9,610.85.
The Commission further V O T E D: to approve an extension of time from August 11, 1997 to November 29, 1997, as recommended by Messrs. Faucher and Jackson, in their report of October 31, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Mayhew, September 15, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 6 - for demolition and removal of a metal bulkhead and railing and filling void with loam - at a cost of $846.62 - on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I.
Account No. 2490-0017.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 6, on Contract No. PL92-017-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $846.62.

2. Report of Messrs. Faucher and Machado, November 5, recommending approval of the request of D & R General Contracting, Inc., Contractor on Contract No. P96-1864-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan District, to engage the services of Algar Construction, as minority sub-contractor for -
Item No. 001-010 - Unclassified Excavation
Item No. 003-010 - Gravel Borrow
Item No. 004-010 - Loam Borrow
Item No. 011-010 - New Granite Edgestone
Total = $97,000.00
(At no additional Contract cost).
The Commission V O T E D: Approved.

3. Report of Miss Overton and Messrs. Faucher and Orfant, October 9, requesting approval of Extra Work Claim No. 1 - for additional trenching required to circumvent a collapsed electrical conduit in two locations - at a cost of $8,396.65, on Contract No. P96-1839-C1A, with Colonial Surety Company - (Surety for Bull Contracting, Inc.), for Boston Harbor Beach Program: George's Island Picnic Pavilion.
(The original contractor - Bull Contracting was found in default by the Commission at its June 11, 1997 meeting).
Account No. 2440-8956.
The Commission V O T E D: to approve Extra Work Claim No. 1, at a cost of $8,396.65, on Contract No. P96-1839-C1A.

4. Report of Messrs. Faucher and Jackson, November 3, requesting

approval of the following on Contract No. P95-1784-C2A, with Jay Cashman, Inc., for Phase I Implementation, Rehabilitation of South Boston Beaches -

1. An extension of time from October 30, 1997 to December 19, 1997 - due to the need to remove underwater obstructions from area of new Kelly's Landing Dock, by MDC forces.
   (At no increase in Contract cost).
2. Ratification and approval of the action of Acting Director Faucher resulting in revision in quantities on Item No. 200-002 - increasing the quantity of beach sand at City Point Beach from 1900 to 2180.63 tons - at a cost of $2,806.30.
   (At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 200-003 - beach sand at Carson Beach).

The Commission V O T E D: to approve an extension of time from October 30, 1997 to December 19, 1997, as requested by Messrs. Faucher and Jackson in their report of November 3, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to ratify and approve the action of Acting Director Faucher which resulted in revision in quantities on Item No. 200-002, on Contract No. P95-1784-C2A.
The Commission further V O T E D: to approve the revision in quantities, in the amount of $2,806.30.

1. Report of Messrs. Faucher and Griffin, November 7, recommending approval of Amendment No. 1, for an extension of time from December 31, 1997 to December 31, 2002, on Contract No. P82-1129-D1A, with Vanasse Hangen Brustlin, Inc., for Engineering Services for the Rehabilitation of Morrissey Boulevard and Redesign of the John J. Beades Bridge, Dorchester.
   The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Sacco, October 16, recommending the following on Contract No. P97-1890-C1A, with South Shore Paving Corp., for Winthrop Seawalls Repairs, Winthrop/Revere -
   (a) That work be accepted as completed as of September 9, 1997.
   (b) That Estimate No. 3 (Final), in the amount of $10,262.85, be approved for payment.
   (c) That reserve, in the amount of $4,995.18, be approved for payment.
   (Basis of Award - $122,020.00)
   (Amount to Date - $ 99,903.69)
   (Contract Performance Rating - 3.83)
   (EEO Compliance - 4.40)

   The Commission V O T E D: that the work of South Shore Paving Corp., Contractor under Contract No. P97-1890-C1A, be and hereby is accepted as completed as of September 9, 1997.
   The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $10,262.85, for payment.
   The Commission further V O T E D: to approve release of reserve, in the amount of $4,995.18, for payment.

1. Report of Messrs. Faucher, Carrigan and Machado, November 7, recommending approval of an extension of time from December 11, 1997 to June 30, 1998, on Contract No. P96-1864-C1A, with D & R General Contracting Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan District, due to the need for additional sidewalk work.
The Commission V O T E D: to approve an extension of time from December 11, 1997 to June 30, 1998, as recommended by Messrs. Faucher, Carrigan and Machado in their report of November 7, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Brooks and Abounaja, November 4, recommending approval of a revision in quantities on Item No. 002-003, in the amount of $11,796.00, for furnishing and installing temporary chain link fence - on Contract No. P95-1789-C2A, with Triumvirate Environmental, Inc., for Contaminated Site Cleanup at the Indian Line Farm, Canton.
Account No. 2490-0017.
The Commission V O T E D: Approved.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

3. Report of Messrs. Faucher and Brooks submitting for approval Project No. P98-1943-C1A, for Emergency Roof Replacement at the Stony Brook Maintenance Yard, Hyde Park.
Estimated Cost - $130,000.00.
Time for Performance - two to three weeks from Notice to Proceed.
Account No. 2490-8881.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Brooks and Martinez, November 5, on bids for Sewer Building Line Connection at Emmons-Horrigan Skating Rink, Charlestown, Contract No. P98-1933-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of D'Allesandro Corp., of $19,471.79).
The Commission V O T E D: to accept the lowest bid received, that of D'Allesandro Corp., of $19,471.79.

5. Report of Messrs. Faucher, Brooks and Martinez, November 5, on bids for Water and Sewer Building Line Connections at Shea Rink, Quincy, Contract No. P98-1932-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of P. Caliacco Corp., of $52,600.00).
The Commission V O T E D: to accept the lowest bid received, that of P. Caliacco Corp., of $52,600.00.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

6. Report of Mr. Broderick, November 5, requesting that the Commission accept the provisions set forth by Chapter 90, Sections 20A, 20A 1/2, 20C and 20E, which allows state agencies

to appoint a parking clerk and impose and collect civil fines for violations of parking regulations on all MDC owned property using an MDC Parking Citation.
The Commission V O T E D: accept the provisions set forth by Chapter 90, Sections 20A, 20A 1/2, 20C and 20E, as requested by Mr. Broderick in his report of November 5, 1997.

Action was taken upon the following Various Matter:

1. Report of Miss Overton and Mr. Traficante, November 7, requesting approval of Amendment No. 2, to Contract No. P97-1900-X1A, with Health Resources Corporation, to continue providing a testing program (first option year), which shall add $26,350.00 and extend time of performance from November 30, 1997 to November 30, 1998, for Drug and Alcohol Testing Program for Commercial Drivers License Holders.
The Commission V O T E D: Approved.

Adjourned at 11:15 a.m., to meet on Thursday, November 20, 1997, at 9:00 a.m.

William F. Crushell
Secretary

Record of the Three Thousand Eight Hundred and Thirty Second (3832nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 20, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 23, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P98-1932-C1A, dated November 20, 1997, with P. Caliacco Corp., for Water and Sewer Building Line Connections at Shea Rink, Quincy.

2. Contract No. P98-1933-C1A, dated November 20, 1997, with D'Allesandro Corp., for Sewer Building Line Connection at Emmons-Horrigan Skating Rink, Charlestown.

3. Contract No. WM98-076-C1A, dated November 20, 1997, with United Electric Company, for Electric Power Connection, MDC Maintenance Yard, Clinton.

4. Amendment No. 2, dated November 20, 1997, to Contract-Agreement No. P97-1990-X1A, with Health Resources Corporation, for Drug and Alcohol Testing Program for Commercial Drivers License Holders.

5. Contract No. WM97-078-C1A, dated November 20, 1997, with D'Allesandro Corp., for Sewer Line Installation, MDC Wilson Street Maintenance Yard, Clinton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher and Soroka, November 12, recommending approval of revisions in quantities on the following items on Contract No. P96-1838-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems Charles River Basin Districts -

Item No. 004-030	**$ 6,125.00**
Labor Rate for Helper Miscellaneous Repair	
Item No. 005-010	**$ 2,220.00**
Hourly Rate for Vehicle Miscellaneous Repair	
Item No. 011-020	**$ 500.00**
Cement Concrete Foundation Octagonal Base	
Item No. 019-010	**$ 3,500.00**
Traffic Control Service	
	Total = $12,345.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 003-010 - Flashing Traffic Control Device Knockdown Repair, 003-020 - Traffic Signal Knockdown Repair, 008-020 - Post Top Mounting - 2 Way and 008-030 - Post Top Mounting - 3 or 4 Way).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Brooks and Park, November 13, on bids for Emergency Contract to Replace the Roof on the Stony Brook Maintenance Garage, Hyde Park, Contract No. P98-1943-C1A.
(Messrs. Faucher, Brooks and Park recommend acceptance of the lowest bid received, that of Reliable Roofing, Inc., of $114,490.00).
(Messrs. Faucher, Brooks and Park further recommend execution of the Contract).
The Commission V O T E D: to accept the lowest bid received, that of Reliable Roofing, Inc., of $114,490.00.
The Secretary then submitted for signature Contract No. P98-1943-C1A, dated November 20, 1997, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mr. Faucher and Ms. Pfetsch, November 12, requesting approval of a claim, in the amount of $4,621.07, based on the final overall cost of construction, on Contract No. P94-1749-D1A, with David P. Handlin and Associates, for Design Services for Captain's House Renovations, South Region Headquarters, Blue Hills Reservation, Milton.
Account No. 2440-8952.
The Commission V O T E D: to approve a claim, in the amount of $4,621.07, as requested by Mr. Faucher and Ms. Pfetsch in their report of November 12, 1997.

3. Report of Messrs. Faucher and McCalla, November 5, requesting a change in the source of funding, in the amount of $15,000.00, from Account No. 2444-9001 to Account No. 2490-0009, on Contract No. P96-1821-M1A, with Boston Edison Company, for Maintenance of Street Lighting System, in order to optimize the use of available funds.
The Commission V O T E D: to approve a change in the source of funding, in the amount of $15,000.00, from Account No. 2444-9001 to Account No. 2490-0009, on Contract No. P96-1821-M1A, with Boston Edison Company, for Maintenance of Street Lighting System, as requested by Messrs. Faucher and McCalla in their report of November 5, 1997.

4. Report of Messrs. Faucher, Brooks and Haider, November 7, recommending approval of revisions in quantities on the following items on Contract No. P97-1907-C1A, with P. J. Kennedy & Sons, Inc., for Installation of 10 Inch Diameter Sewer Line in Hull at Central Service Complex -

Item No. 001-040 - Precast Manhole	-	$ 3,450.00
Item No. 001-050 - "A" - 6" PVC Pipe	-	$ 1,782.50
Item No. 001-050 - "B" - 8" PVC Pipe	-	$ 5,531.50
	Total =	$10,764.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 001-010 - Excavation and 001-020 - Crushed Stone).
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher, Brooks, Haider and Park, November 14, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project

No. P98-1941-C1A, for Roof Replacement at Stoneham Central Service Garage, Stoneham.
Estimated Cost - $135,000.00.
Time for Performance - approximately one month.
Account No. 2490-8881.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1941-C1A, for Roof Replacement at Stoneham Central Service Garage, Stoneham.

1. Report of Messrs. Faucher, Brooks and Mayhew, November 17, recommending approval of Extra Work Order No. 1 - for installing insulation on the 8" main supply and return refrigeration piping from the refrigeration room to the rink area - at a cost of $4,532.00, on Contract No. P97-1894-C1A, with G & R Construction, Inc., for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston.
Account No. 2440-9800.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $4,532.00.

2. Report of Messrs. Faucher, Brooks and Mayhew, November 17, recommending approval of Extra Work Order No. 2, for -
(1) Rental of three 36" swivel blower fans at $99.00 each per week. - $ 297.00
(2) Consultant to prepare job health and safety plan for employees. - $2,700.00
(3) Demolition contractor, loss of productivity due to safety requirements for four weeks. - $2,350.00
- at a total cost of $5,507.00, on Contract No. P97-1894-C1A, with G & R Construction, Inc., for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston.
Account No. 2440-9800.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $5,507.00.

3. Report of Mr. Faucher and Mrs. Graves-Jones, November 18, recommending approval of revisions in quantities on the following items on Contract No. P96-1822-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC -

Item No. 005-010	**$1,900.00**
Reflectorized Line Thermoplastic	
Item No. 010-010	**$ 950.00**
Traffic Control Services	
Total =	**$2,850.00**

Account No. 2490-0012.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Kane, October 29, requesting approval of a revision in quantities on Item No. 04500.7, in the

amount of $8,770.00, to clean and repoint additional stone masonry joints, as directed by Engineer, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 02145.2 - furnish, install, develop, test and abandon additional pressure relief wells as directed).
The Commission V O T E D: Approved.

1. Report of Messrs. McGinn and Kane, November 14, requesting approval of Extra Work Order No. 9, for clean up and removal of debris from the spillway discharge channel, downstream of the apron area to the end of Stony Brook outlet structure, in the amount of $4,303.46, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough.
(At no additional Contract cost as the Extra Work will be offset by unused quantities in Item No. 02145.2, furnish, install, develop, test, and abandon additional pressure relief wells as directed).
The Commission V O T E D: to approve Extra Work Order No. 9, in the amount of $4,303.46.

2. Report of Messrs. McGinn and Kane, November 13, requesting approval of an extension of time from November 30, 1997 to December 31, 1997, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough, as recent adverse weather conditions has delayed work.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from November 30, 1997 to December 31, 1997, as requested by Messrs. McGinn and Kane in their report of November 13, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. McGinn and Vignally, November 10, recommending the following on Contract No. WM95-053-S1A, with Comprehensive Environmental, Inc., for Hazardous Material Emergency Response Plans -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Invoice No. 9 (Final), in the amount of $4,708.47, be approved for payment.
(Basis of Award - $49,830.00)
(Amount to Date - $47,084.72)
(Contract Performance Rating - 8.00 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Comprehensive Environmental, Inc., Contractor under Contract No. WM95-053-S1A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Invoice No. 9 (Final), in the amount of $4,708.47, for payment.

1. Report of Messrs. McGinn and Kane, November 13, requesting approval of the following on Contract No. WM93-060-D2A, with GZA GeoEnvironmental, Inc., for Final Design for Construction of Essential Repairs and Emergency Action Plan, Sudbury Dam -
   1. An extension of time from November 30, 1997 to March 31, 1998, to allow for an additional investigation and preparation of a report and recommendation.
   2. An increase in the Contract upset limit in the amount of $70,000.00, bringing Contract cost to $477,833.00.

Account No. 2422-1442.
The Commission V O T E D: Approved as requested by Messrs. McGinn and Kane in their report of November 13, 1997.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. Broderick, November 14, requesting approval of a reduction in the 1997 permit fee from $6,000.00 to $4,500.00 for the food concession operated by Najjar Concessions, Inc., at Houghton's Pond, Blue Hills Reservation, due to a construction project resulting in a one - and - one half month early closing of the concession stand.
The Commission V O T E D: to approve a reduction in the 1997 permit fee from $6,000.00 to $4,500.00 for the food concession operated by Najjar Concessions, Inc., at Houghton's Pond, Blue Hills Reservation, as requested by Mr. Broderick in his report of November 14, 1997.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien and Mr. Driscoll, November 14, requesting approval and execution of an Amendment for an extension of time from November 30, 1997 to November 30, 1998, on Contract No. PL-93-026-D1A, with Berkshire Design Group, for Blair Pond Master Plan.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated November 20, 1997, to Contract No. PL-93-026-D1A, with Berkshire Design Group, which was signed by the Commissioner and four Associate Commissioners.

4. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
Andrew Wilson, Director of Boston Duck Tours, L.P. (BDT), appeared before the Commission and explained that his permit, which took effect on June 15, 1994, is expiring on November 30, 1997. Under terms of the permit, with annual reviews being satisfactory, a further extension of the permit for up to three years shall not be unreasonably withheld, he stated.
Mr. Wilson then went into detail concerning the current three year permit noting that BDT has met and exceeded all criteria called for under terms of the permit.

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He then explained that in April of 1994, it was recognized by the MDC and BDT, that the chosen site for the ramp at North Point might not be permanent due to its possible conversion into MDC parkland.
As a result, he noted, it was agreed that the MDC and BDT would attempt to locate and permit a new location for launching and landing the tour vehicles.
Mr. Wilson then noted that a new site has been located in an area at the opposite end of North Point on a piece of MBTA property in Cambridge, near the railroad bridge.
BDT is currently working with the MDC, the Massachusetts Highway Department and architects to design the new ramp facility and to establish a schedule and a process which will allow the existing ramp to be used through the 1998 season, while a new ramp is constructed, and to begin the 1999 season at the new location, he explained.
Mr. Wilson noted that the new ramp will cost approximately $1.2 million compared to the $150,000.00 cost of the old ramp.
He then noted that the drafting of the easement from the MBTA of the land for the new ramp needs to be completed with language which allows construction and use of the ramp by BDT. The MBTA is supportive of BDT using this land for its operation, he explained.
Associate Commissioner Wu stated that in his opinion granting BDT the use of this MBTA land by the MDC is not prudent until all of the details of the easement are worked out and the easement is in place.
At this point, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to BDT until such time as the matter comes before the Commission for a vote.
Associate Commissioner Settles did not participate in discussion nor vote on this matter.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, November 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 8.00 acres of land owned by Stephen J. Erickson and Janet L. Erickson, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $85,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 8.00 acres of land owned by Stephen J. Erickson and Janet L. Erickson, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 20, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the westerly side of Redemption Rock Trail-Route 140, at its intersection with the northwesterly line of Fox Run Road, more particularly bounded and described as follows:

Beginning at a point in the westerly line of Redemption Rock Trail-Route 140, at its intersection with the southerly line of land, now or formerly, of Chester R. Jr. & Cecile Mason, said point marking the northeasterly corner of the parcel herein being described, and the southeasterly corner of land, now or formerly, of Mason;

Thence S. 83° 25′ 00" W., 110.00 feet, to an iron pipe at the southwesterly corner of land, now or formerly, of Mason;

Thence N. 05° 15′ 00" W., 244.10 feet, by the westerly line of land, now or formerly, of Mason to a drill hole in a stone wall at land, now or formerly, of the Listowich Farm Trust, Anthony B. Listowich, Trustee, said drill hole marking the northwesterly corner of the Mason Lot;

Thence N. 71° 08′ 00" W., 152.00 feet, by the stone wall and land, now or formerly, of the Listowich Farm Trust, to a point at an angle in the wall;

Thence N. 52° 04′ 00" W., 480.00 feet, more or less, by the stone wall, and land, now or formerly, of the Listowich Farm Trust, to a point in a corner of stone walls, and land, now or formerly, of Truman L. & Dorothy R. King;

Thence S. 08° 17′ 00" W., 1320.00 feet, more or less, by land, now or formerly, of King, crossing Scanlon Brook and running to a point in the northwesterly line of Fox Run Road;

Thence N. 46° 10′ 00" E., 508.00 feet, more or less, to a point near the bank of Scanlon Brook, at other land of Erickson, to remain unrestricted;

Thence N. 58° 07′ 27" W., 298.51 feet, and recrossing Scanlon Brook, to a point;

Thence N. 12° 29′ 34" E., 432.20 feet, entering and running by a stone wall, to a point in said wall;

Thence S. 70° 18′ 00" E., 59.84 feet, to a stake;

Thence S. 05° 15′ 00" E., 244.10 feet, to a stake;

Thence N. 83° 25′ 00" E., 160.00 feet, to a stake in the westerly line of Redemption Rock Trail-Route 140;

Thence N. 08° 17′ 00" W., 50.00 feet, by the westerly line of the highway, to the first mentioned point at the southeasterly corner of land, now or formerly, of Mason, being the point and place of beginning, the last five courses above being by other land of Erickson, intended to be excluded from this order and remain unrestricted.

Containing 8.0 acres, more or less, as shown upon a sketch plan prepared by the Metropolitan District Commission Division of Watershed Management, a copy of which, labeled "EXHIBIT A" is inserted herein and made a part of this order.

The eight acres shown on "EXHIBIT A" represent most of the area of 10.5 acres shown upon a plan entitled "Plan Of Land In Sterling, Mass. Owned By Wallace E. & Eva M. Foskett, dated May 2, 1966, prepared by George L. Esper R.L.S., and recorded with Worcester District Registry of Deeds as Plan 97 in Plan Book 311, which plan was the basis for the sketch plan of "EXHIBIT A".

The remaining 2.5 acres at the intersection of Fox Run Road and Redemption Rock Trail-Route 140, not described above, and shown upon "EXHIBIT A" as UNRESTRICTED AREA, is expressly excluded from the provisions of this order.

The aforementioned parcel, with exception, is supposed to be owned by the following owners:

OWNERS	RESTRICTION AREA TAKEN
Stephen J. Erickson and Janet L. Erickson	8.0 acres ±

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the premises described in a deed from Janet L. Erickson and Mary A. Williams to Stephen J. Erickson and Janet L. Erickson, dated October 17, 1983 and recorded with Worcester District Registry of Deeds at Book 7956, Page 262.

The above described land, herein restricted, is represented upon Sterling Assessors Map 55 as most of Parcel 2.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, (except as necessary for that portion of the premises designated as the unrestricted area).

3. No septic systems or leach fields shall be permitted.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

6. No tillage.

7. No grazing or sheltering of livestock or animals shall be permitted.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

9. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

10. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Stephen J. Erickson and Janet L. Erickson	$ 85,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $85,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.005 acres of land owned by Sterling Heights Builders, Inc., located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.005 acres of land owned by Sterling Heights Builders, Inc., located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 20, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Fox Run Road, more particualarly bounded and described as follows:

Beginning at a point in the southeasterly layout line of Fox Run Road at the northeasterly corner of land, now or formerly, of Robert A. & Barbara K. Kimball, said point being at the northwesterly corner of the parcel herein being described;

Thence Northeasterly by the southeasterly line of Fox Run Road along an arc of a curve to the left, having a radius of 738.32 feet, an arc distance of 63.18 feet, said arc being subtended by a central angle of 4° 54′ 06", to a point of tangency;

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Thence N. 29° 50′ 26" E., by the southeasterly line of Fox Run Road, 116.82 feet to a point at the northwesterly corner of land, now or formerly, of Harvey G. & Paula M. Perlman, said point being at the northeasterly corner of the lot herein being described;

Thence S. 43° 56′ 26" E., 252.03 feet, by land, now or formerly, of H.G.& P.M. Perlman, to a point in a stone wall, at land, now or formerly, of Walter A. Janowicz, said point being at the southeasterly corner of the lot herein described;

Thence S. 29° 50′ 26" W., 180.71 feet, by the stone wall and land, now or formerly, of Walter A. Janowicz to a point, at land, now or formerly, of the aforesaid R.A. & B.L. Kimball;

Thence N. 43° 56′ 26" W., 254.84 feet, by land, now or formerly, of said Kimball, to the point and place of beginning.

Containing 43,790 square feet, or 1.005 acres, more or less, shown as "Lot 5" upon a plan entitled "Amended Plan of Subdivision 'Foxfire' Sterling Owned by Sterling Heights Builders, Inc." prepared by Berry Engineering, Inc. dated August 17, 1980, and recorded with Worcester District Registry of Deeds, as Plan 15, in Plan Book 481, Sheet 3 of 5.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Fox Run Road which may be held by the supposed owner, as a result of their ownership of the above described property, and being a portion of the same premises described in a deed from Robert H. Gallo to Sterling Heights Builders, Inc., dated April 27, 1979 and recorded with Worcester District Registry of Deeds in Book 6719, Page 395.

The above described property, located at #10 Fox Run Road, is represented upon Sterling Assessors Tax Map 55Y as Parcel 5.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Sterling Heights Builders, Inc.	$ 60,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 44.70 acres of land owned by Fox Hill Builders, Inc., located in the Towns of Sterling and West Boylston, Massachusetts, and to approve an award of damages in the amount of $675,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 44.70 acres of land owned by Fox Hill Builders, Inc., located in the Towns of Sterling and West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 20, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Sterling and West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain contiguous parcels of land lying on, and off of, the northeasterly side of Fairbanks Street, the first and smaller parcel being mostly in the Town of West Boylston, and the second and larger parcel being entirely within the Town of Sterling, more particularly bounded and described as follows:

PARCEL 1

Beginning at the northwesterly corner of the parcel herein being described, at an iron pipe in a corner of walls, at a point in the northeasterly line of Fairbanks Street, and at land, formerly of Andrew Luigi, late of Lawrence A. Backlin et ux, and now or formerly, of Donald B. & Cynthia J. Lloyd;

Thence N. 56° 58′ 50" E., 192.50 feet, by the stone wall, to another iron pipe in the wall;

Thence N. 57° 42′ 25" E., 125.82 feet, by the wall, to a point;

Thence N. 58° 53′ 00" E., 186.18 feet, more or less, by the wall, crossing from West Boylston into Sterling and running to a drill hole in the wall at the northeasterly corner of the parcel being described, being a point in the southwesterly line of PARCEL 2, described below, the last three courses being by land, now or formerly, of D.B. & C.J. Lloyd;

Thence S. 03° 32′ 19" E., 154 feet, more or less, by PARCEL 2, recrossing into West Boylston and running to a point at the southeasterly corner of the parcel being described, said point being also at the northeasterly corner of land, now or formerly, of Mario J. & Eleanor Marchisio;

Thence Southwesterly, 395 feet, more or less, by the northwesterly line of land, now or formerly, of M.J. & E. Marchisio, to another iron pipe in the northeasterly line of Fairbanks Street;

Thence Northwesterly, 150 feet, more or less, by the northeasterly line of Fairbanks Street, to the first mentioned iron pipe in the corner of walls, being the point and place of beginning.

Containing 1.5 acres, more or less, shown as LOT A upon a plan entitled "Plan of Land, Prepared for Netina & Leta Fairbanks, Located in W. Boylston, Mass.", dated Sept. 12, 1953, prepared by E.S. Sanderson & S.C. Waruzila Engineers, which plan is recorded with Worcester District Registry of Deeds as Plan 121 in Plan Book 226. See also another plan, used in the construction of the above description, entitled "Plan Of Land In West Boylston & Sterling, Mass. Owned By Netina E. & Leta Fairbanks, dated April 1960, prepared by Francis B. Thompson C.E., which plan is recorded with said Deeds as Plan 8 in Plan Book 247.

PARCEL 2

Beginning at the drill hole in the stone wall at the northeasterly corner of PARCEL 1, described above, and land, now or formerly, of D.B. & C. J. Lloyd;

Thence N. 71° 30′ 35" E., 28.01 feet, by the wall to another drill hole in a corner of walls;

Thence N. 13° 21′ 32" W., 110.58 feet, by the wall, to a point therein;

Thence N. 17° 09′ 26" W., 201.87 feet, by the wall, to a drill hole therein, at or near the remains of a Metropolitan Water Works stone bound, at land, formerly of Walter B. Sawyer & William M. Bruce, now of the Commonwealth of Massachusetts, Metropolitan District Commission, the last three courses being by land, now or formerly, of D.B. & C.J. Lloyd;

Thence N. 40° 27′ 20" W., 200.16 feet, by the wall, to another M.W.W. stone bound at a corner;

Thence N. 29° 36′ 42" E., 472.95 feet, crossing a brook, to a point at land, formerly of Rosie A. Howe, now of the Commonwealth of Massachusetts, MDC, the last two courses being by land, formerly of W.B. Sawyer & W.M. Bruce, now of the Commonwealth of Massachusetts, MDC;

Thence N. 31° 10′ 36" E., 226.00 feet, to another M.W.W. stone bound at the southeasterly end of a stone wall;

Thence N. 32° 57′ 36" E., 100.58 feet, by the wall, to another M.W.W. stone bound;

Thence N. 46° 13′ 03" E., 367.93 feet, by the wall, to another M.W.W. stone bound in a corner of walls, at land, now or formerly, of the Sterling Camp Meeting Association, the last three courses being by land, formerly of R. A. Howe, now, of the Commonwealth of Massachusetts, MDC:

Thence S. 38° 02′ 20" E., 590.81 feet, by the stone wall, to a point;

Thence S. 38° 05′ 16" E., 538.66 feet, by the wall, to a point;

Thence S. 37° 27′ 43" E., 103.47 feet, by the wall, to a point;

Thence S. 37° 55′ 32" E., 68.84 feet, by the stone wall, to an iron pipe in a corner of stone walls, at land, formerly, of Carrington F. Noel, now or formerly, of Francis X. & Anthony J. Tambolleo, the last four courses being by land, now or formerly, of Sterling Camp Ground Association;

Thence S. 48° 02′ 09" W., 126.46 feet, by the wall, to a stake and stones, at a corner;

Thence S. 45° 33′ 12" E., 282.99 feet to another stake and stones, at a corner of land, now or formerly, of New England Power Construction Co., the last two courses being by land, formerly of C.F. Noel, now or formerly, of F.X. & A.J. Tambolleo;

Thence S. 53° 29′ 21" E., 182.40 feet, to a point in the northwesterly end of a stone wall segment;

Thence S. 54° 44′ 34" E., 124.89 feet, to an iron pin in a corner of stone walls;

Thence S. 14° 57′ 28" W., 273.81 feet, partially by stone wall remnants and partially by a wire fence, to a point in the northeasterly end of an intersecting stone wall segment;

Thence S. 13° 00′ 21" W., 217.72 feet to a point in the northwesterly end of another wall segment;

Thence S. 11° 39′ 42" W., 28.00 feet, by the wall segment to a point at its southeasterly terminus;

Thence S. 13° 29′ 37" W., 190.00 feet, more or less, to a point in the Sterling-West Boylston Town Line, and land (in West Boylston), formerly of Leta Fairbank, now or formerly, of Richard A. & Kathleen M. Kenneway, the last six courses being by land, now or formerly, of N.E.P.Construction Co.;

Thence N. 50° 13′ 59" W., 721.6 feet, by the Town Line to a Town Bound at an angle in said line;

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Thence N. 75° 58′ 29" W., 949.8 feet, more or less, to a point in the northeasterly line of PARCEL 1, the last two courses being by land (in West Boylston), now or formerly, of R.A. & K.M. Kenneway;

Thence N. 03° 32′ 19" E., 81.2 feet, more or less, by PARCEL 1, to the first mentioned drill hole at land, now or formerly, of D.B. & C.J. Lloyd, being the point and place of beginning.

Containing 43.2 acres, more or less, as shown upon a plan entitled "Land In Sterling, Mass. Surveyed For Leta Fairbank", dated August 1974, prepared by Charles A. Perkins Co., Charles A. Perkins R.L.S., which plan is recorded with Worcester District Registry of Deeds, as Plan 31 in Plan Book 407.

Also intended to be taken herein and hereby is any interest which the supposed owner may have in a sixty foot wide right of way running from Fairbanks Street, across land, now or formerly, of R.A. & K.M. Kenneway, to the property described above as PARCEL 2, said right of way having been created in a deed from Leta Fairbank to Arthur R. Cameron and Helen C. Cameron, dated 11th October 1974, recorded with Worcester District Registry of Deeds at Book 5646, Page 229, and shown upon the above cited recorded survey plan.

The total area of PARCELS 1 & 2, as described above, and intended to be taken herein and hereby, is calculated to be 44.7 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a two deeds, the first from Mary A. Goretti, Executrix under the will of Catherine M. Giobellina, Worcester County Probate Court Docket No. 90P1423 to Fox Hill Builders, Inc., dated 28th March 1997 and recorded with Worcester District Registry of Deeds on April 3, 1997 (Document # 32370) at Book 18718, Page 47, and the second, from Sterling Heights Builders, Inc., to Fox Hill Builders, Inc., dated June 30, 1995 and recorded with said Deeds at Book 17170, Page 155.

PARCEL 1, as described above, is represented upon West Boylston Assessors Tax Map 101 as Parcel 5, and upon Sterling Assessors Tax Map 26 as Parcel 14. PARCEL 2, as described above, is represented upon Sterling Assessors Tax Map 23 as Parcel 16.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Fox Hill Builders, Inc.	$ 675,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $675,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 52.71 acres of land owned by John C. Oliver, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $80,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 52.71 acres of land owned by John C. Oliver, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 20, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying in the northerly part of said Town of Holden, off of the westerly side of a town road now known as Mason Road, and adjoining the Holden-Princeton Town Line, being that portion of the "Barrett Lot" within the Town of Holden, more particularly bounded and described as follows:

Northerly, by the boundry between the Towns of Princeton and Holden, and that portion of the "Barrett Lot" lying within the corporate bounds of the Town of Princeton, land formerly of Orrin W. Jr. & Cynthia Mason, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Easterly, by lands, formerly of Adams, Howe and Greenwood, known as the "Wadsworth Lot", late of Orrin W. Jr. & Cynthia Mason, and now of the Commonwealth of Massachusetts, MDC;

Southerly, by lands, formerly of Parmenter and of Rice, late of the aforesaid Orrin W. Jr. & Cynthia Mason, and now of the Commonwealth of Massachusetts, MDC;

Westerly, by lands, formerly of Parmenter, and of the Barrett "Old Home Farm", now or formerly, land of the North Worcester Fox and Coon Club, and of Denise Dourdeville et als;

The above described parcel is supposed to contain, by prior deed reference, about fifty acres, the calculated area of the parcel, as depicted upon Holden Assessors Map 14 Parcel 1, is 52.71 acres.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from the INHABITANTS of the TOWN of HOLDEN, a municipal corporation, to John C. Oliver, dated July 16, 1958 and recorded with Worcester District Registry of Deeds in Book 3955, Page 165, and being further identified as that portion of the "Barrett Lot" lying within the Town of Holden, as described in a deed, dated August 28, 1868, from George Barrett to George Smith, 2nd, recorded with said Deeds in Book 871, Page 596. See also deed of Samuel Hastings Jr. to James Barrett, dated February 13, 1816, conveying 61 acres, more or less, in Holden, and a deed of Ward Nicholas Boylston to James Barrett, dated May 8, 1819, conveying 60 acres, more or less, in Princeton.

The above described property is represented upon Holden Assessors Tax Map 14 as Parcel 1.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
John C. Oliver	$ 80,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $80,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 14, recommending that the Commission adopt an Order of Taking for acquisition of approximately 6.354 acres of land owned by Larry T. Lozoraitis and Dierdre L. Foster, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $65,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402. The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 6.354 acres of land owned by Larry T. Lozoraitis and Dierdre L. Foster, located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 20, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Main Street, more particularly bounded and described as follows:

Beginning at an iron pipe on the easterly line of the 1925 County Layout of Main Street-Route 70, at the northwesterly corner of the parcel herein being described, at land formerly of Thomas S. & Barbara E. Thomson, now or formerly of Warren W. Leach & Carol A. Stanton;

Thence S. 39° 26′ 50" E., 284.48 feet, to an iron pipe;

Thence N. 54° 41′ 02" E., 126.87 feet, by the remains of a stone wall, to a drill hole at land now or formerly of Frank E. Groccia & Sons, Inc., the last two courses being by land, now or formerly, of Leach & Stanton;

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Thence S. 35° 24′ 20" E., 524.96 feet, by land, now or formerly, of Groccia & Sons, to an iron pipe in the line of stone wall remnants at the northeasterly corner of the parcel being described, and at land, now or formerly, of Palmer W. Bigelow;

Thence S. 36° 04′ 53" W., 49.26 feet, to a stake within the line of the wall remains;

Thence S. 35° 43′ 43" W., 379.94 feet, by the remains of the wall, to an iron pipe at the southeasterly corner of the parcel being described;

Thence N. 33° 16′ 07" W., 356.91 feet, by stone wall remnants, to an iron pipe at the northeasterly corner of Parcel "E", other land, formerly of Lozoraitis et al, now or formerly, of John LaPlant as shown upon a recorded survey plan referenced at the conclusion of this description, the last three courses being by land, now or formerly, of Bigelow;

Thence N. 24° 42′ 05" W., 474.70 feet by Parcel "E" to a stake marking the northwesterly corner of Parcel "E" and the northeasterly corner of Parcel "D", other land, formerly, of Lozoraitis et al, now or formerly, of Robert T. & Barbara Tirolo Zaleski;

Thence N. 32° 33′ 37" W., 64.12 feet, to an iron pipe;

Thence N. 72° 12′ 20" W., 75.52 feet, to an iron pipe on the easterly line of Main Street-Route 70, the last two courses being by Parcel "D";

Thence Northeasterly by the easterly line of Main Street-Route 70 and a curve to the right with a radius of 1630.00 feet, an arc distance of 200.00 feet to the first mentioned iron pipe, being the point and place of beginning.

Containing 6.354 acres, more or less, as shown as Parcel "A" upon a recorded survey plan entitled "Land In Boylston Surveyed For Larry T. Lozoraitis", dated September 1988, prepared by James W. Chisholm R.L.S., and recorded with said Deeds, as Plan 9 in Plan Book 635.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Main Street-Route 70 which may be held by the supposed owners, as a result of their ownership of the above described property, and being most of the same premises described in a deed from Aaron George Willey to Larry T. Lozoraitis & Deirdre L. Lozoraitis, dated August 5, 1975 and recorded with Worcester District Registry of Deeds at Book 5771, Page 137.

The above described property is represented upon Boylston Assessors Tax Map 28 as Parcel 25.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Larry T. Lozoraitis and Deirdre L. Lozoraitis, a/k/a Deirdre L. Foster	$ 65,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $65,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 14, recommending that the Commission approve and accept a deed of gift of approximately 1.38 aces of land owned by Paul M. Giannelli, Trustee, located in the Town of Malden and Melrose, Massachusetts, for parks purposes, provided that the proposed subdivision plan of land showing said parcel is approved by the Planning Boards of the Towns of Malden and Melrose.
The Commission V O T E D: to approve and accept a deed of gift of approximately 1.38 aces of land owned by Paul M. Giannelli, Trustee, located in the Town of Malden and Melrose, Massachusetts, for parks purposes, provided that the proposed subdivision plan of land showing said parcel is approved by the Planning Boards of the Towns of Malden and Melrose.

2. Report of Mr. Gray, November 14, recommending that the Commission change the source of funding for all Real Property agenda items previously approved by the Commission at its meetings of August 28, 1997, and September 11, 1997, relating to the acquisition and contracting and costs associated with the FY 1998 MDC Watershed Land Acquisition Program, from Account Nos. 2420-8936 and 2420-9936, to Account No. 2420-1402.
The Commission V O T E D: approval to change the source of funding for all Real Property agenda items previously approved by the Commission at its meetings of August 28, 1997, and September 11, 1997, relating to the acquisition and contracting and costs associated with the FY 1998 MDC Watershed Land Acquisition Program, from Account Nos. 2420-8936 and 2420-9936, to Account No. 2420-1402, as recommended by Mr. Gray in his report of November 14, 1997.

3. Report of Mr. Gray and Mrs. O'Brien, November 17, recommending that the Commission approve and accept a gift of a conservation easement of approximately 1.12 acres of land owned by Earle W. Kazis and Benjamin H. Schore, located in the City of Waltham, Massachusetts, for parks purposes, and to authorize the Commissioner to execute any and all documents and related instruments on behalf of the Commission required to acquire a conservation easement on said property.
The Commission V O T E D: to approve and accept a gift of a conservation easement of approximately 1.12 acres of land owned by Earle W. Kazis and Benjamin H. Schore, located in the City of Waltham, Massachusetts, for parks purposes.
The Commission further V O T E D: to authorize the Commissioner to execute any and all documents and related instruments on behalf of the Commission required to acquire a conservation easement on said property.

Action was taken upon the following matter relating to Recreational Facilities and Programs Division:

4. Report of Mr. Doak, November 17, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission a Permit Agreement between the MDC and Recreational Sports, Inc., for the operation of the Blue Hills Ski Area for the 1997-1998 season.

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The Commission discussed with Stuart and Betty Beers of Recreational Sports, Inc., the status of the firms bankruptcy. Following the discussion, the Commission requested a report from the firm concerning the status of all outstanding balances of bills owed to the electric utility company that services the ski area and the Town of Canton, Water Department.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission a Permit Agreement between the MDC and Recreational Sports, Inc., for the operation of the Blue Hills Ski Area for the 1997-1998 season.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Adjourned at 10:40 a.m., to meet on Thursday, December 4, 1997, at 9:00 a.m.

William F. Cronk
Secretary

Record of the Three Thousand Eight Hundred and Thirty Third (3833rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 4, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 13, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Mayhew, November 25, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 7 - for repairs to the bathhouse front entrance steps; the installation of a new threshold; installation of an additional opening in the guard rail and port; remove and replace handrail and graffiti from viewing deck No. 4 and drainage changes - all at cost of $3,310.72, on Contract No. PL92-017-C1A, with D & C Construction, Inc., for Upper Charles River Reservation Restoration - Phase I. Account No. 2490-0017.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 7, on Contract No. PL92-017-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of $3,310.72.

2. Report of Messrs. Faucher and Jackson, November 25, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 and revisions in quantities on Contract No. P97-1904-C1A, with Ledgewood Construction Co., Inc., for Reconstruction of Entrance and Parking at Victory Road Park, Dorchester, as follows -

Extra Work Order No. 1 **$1,300.08**
due to unforseen subsurface conditions of an existing concrete slab below grade
Funding from Account No. 2440-8956.

Revisions in Quantities

Item No. 000-007 - Gravel	$ 594.00
Item No. 000-008 - Dense Graded Crushed Stone	$ 105.60
Item No. 000-009 - Bituminous Concrete Paving	$2,880.00
Item No. 000-015 - Loam Borrow	$1,000.00
Item No. 000-016 - Hardwood Mulch	$ 420.00
Item No. 000-018 - Hemerocallis	$ 600.00
Item No. 000-019 - Myrica Pennsylvanica	$ 175.00
Item No. 000-020 - Cytisus scoparia 'Hollandia'	$ 350.00
Item No. 000-021 - Cytisus scoparia 'Moonlight'	$ 350.00
Item No. 000-025 - Pennisetum alopecuroides	$ 45.00
Total =	**$6,519.60**

(The cost of the revisions will be offset by unused quantities in Item Nos. 000-002 - Bituminous Concrete, 000-005 - Unclassified General Excavation, 000-006 - Ordinary Borrow, 000-012 - Chain Link Fence, 000-014 - Wood Guard Rail, 000-017 - Seeded Lawn and 000-024 - Pinus thunbergiana).

Messrs. Faucher and Jackson further request an extension of time from October 10, 1997 to November 10, 1997.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1 and revisions in quantities on Contract No. P97-1904-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $1,300.08.
The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of $6,519.60.
The Commission further V O T E D: to approve an extension of time from October 10, 1997 to November 10, 1997, as requested by Messrs. Faucher and Jackson in their report of November 25, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Jackson, November 26, on bids for Reconstruction of Houghton's Pond Playground, North Entrance, Milton, Contract No. P97-1870-C6A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of D & R General Contracting/MDR Construction Co., Inc., of $176,500.00).
The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting/MDR Construction Co., Inc., of $176,500.00.

2. Report of Messrs. Faucher and Jackson, November 26, on bids for Reconstruction of Murphy Playground, Foss Park, Somerville, Contract No. P97-1870-C4A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of D & R General Contracting/MDR Construction Co., Inc., of $187,300.00).
The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting/MDR Construction Co., Inc., of $187,300.00.

3. Report of Messrs. Faucher and Jackson, November 26, on bids for Playground Construction at Pearce Lake, Saugus, Contract No. P97-1870-C5A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of D & R General Contracting/MDR Construction Co., Inc., of $94,000.00).
The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting/MDR Construction Co., Inc., of $94,000.00.

4. Report of Mr. Faucher and Mrs. Graves-Jones, November 19, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1925-M1A, for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
Time for Performance - twenty four months.
Estimated Cost - $569,000.00.
Account Nos. 2444-9001 and 2490-0009.
(Funding for fiscal years other than current year is contingent

upon funds being made available through the annual budgetary appropriation).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1925-M1A, for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.

1. Report of Messrs. Faucher and Soroka, November 20, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1927-M1A, for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.
Time for Performance - twenty four months.
Estimated Cost - $534,000.00.
Account Nos. 2490-0009 and 2444-9001.
(Funding for fiscal years other than current year is contingent upon funds being made available through the annual budgetary appropriation).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1927-M1A, for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.

2. Report of Messrs. Faucher and McCalla, November 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1938-M1A, for Maintenance of Lighting on MDC Parkways, Roadways and Properties.
Time for Performance twenty four months.
Estimated Cost - $536,000.00.
Account Nos. 2444-9001 and 2490-0009.
(Funding for fiscal years other than current year is contingent upon funds being made available through the annual budgetary appropriation).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1938-M1A, for Maintenance of Lighting on MDC Parkways, Roadways and Properties.

3. Report of Messrs. Faucher and Machado, November 21, recommending approval of revisions in quantities on Contract No. P96-1864-C1A, with D & R General Contracting, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan District, as follows -

Item No. 004-010	**$ 4,236.00**
Loam Borrow	
Item No. 017-010	**$ 3,000.00**
Cement Concrete in Front and Back of Edgestone	
Item No. 018-010	**$13,803.00**
Cement Concrete Sidewalks, Median & Traffic Islands, One Course, 4" thick	
Item No. 028-010	**$ 4,900.00**
Monthly Transportation - One Vehicle	
	Total = $25,939.00

(At no increase in Contract cost as the revisions will be

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offset by unused quantities in Item Nos. 011-010 - new granite edgestone, straight and 0012-010 - new granite edgestone, curved).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Haider, October 23, recommending the following on Contract No. P97-1878-M1A, with HVAC Engineering, Inc., for Maintenance of HVAC at Various Facilities -
(a) That work be accepted as completed as of September 30, 1997.
(b) That Estimate No. 9 (Final), in the amount of $9,668.09, be approved for payment.
(c) That reserve, in the amount of $2,166.25, be approved for payment.

(Basis of Award - $42,000.00)
(Amount to Date - $43,325.09)
(Contract Performance Rating - 94 with 100 being excellent)
(EEO Compliance - 1.25)

The Commission V O T E D: that the work of HVAC Engineering, Inc., Contractor under Contract No. P97-1878-M1A, be and hereby is accepted as completed as of September 30, 1997.
The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of $9,668.09, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,166.25, for payment.

2. Report of Messrs. Faucher, Brooks and Haider, November 26, recommending approval of the request of the Contractor for a second extension of time from November 20, 1997 to December 20, 1997, on Contract No. P97-1907-C1A, with P. J. Kennedy & Sons, Inc., for Installation of 10 Inch Diameter Sewer Line in Hull at Central Services Complex, due to the need to upgrade the existing plumbing at the Central Service Complex to meet code.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from November 20, 1997 to December 20, 1997, as recommended by Messrs. Faucher, Brooks and Haider in their report of November 26, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Mr. Faucher and Ms. Pomorska, November 26, recommending approval of revisions in quantities on the following items on Contract No. P96-1837-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts -

Capital Account

Item No. 002-010 - Materials, Components and Parts - **$10,000.00**

Maintenance Account

Item No. 004-010 - Labor Rate Lic. Elect. - $ 8,200.00
Item No. 006-020 - Vehicle Sign.Head - 12 Inch - $ 1,800.00
$10,000.00

Account No. 2490-0009 - $10,000.00.
Account No. 2444-9001 - $10,000.00.
The Commission V O T E D: Approved.

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1. Report of Mr. Faucher and Ms. Pomorska, November 20, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise Project No. P98-1926-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.
Time for Performance - twenty four months.
Estimated Cost - $536,000.00.
Account Nos. 2444-9001 and 2490-0009.
(Funding for fiscal years other than current year is contingent upon funds being made available through the annual budgetary appropriation).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1926-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.

2. Report of Messrs. Faucher and Jackson, November 28, submitting for approval Project Summary, Project Work Schedule and requesting authorization to advertise Project No. P97-1905-D1A, for Design Services for Rehabilitation of the Thompson Center for the Disabled.
Time for Performance - one year.
Estimated Cost - $175,000.00.
Account No. 2445-8958.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1905-D1A, for Design Services for Rehabilitation of the Thompson Center for the Disabled.

Action was taken upon the following matters relating to the Office of Planning:

3. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over.

4. Report of Mrs. O'Brien and Mr. Driscoll, November 26, requesting approval and execution of Amendment No. 7, to Contract-Agreement No. PL92-017-S1A, with Carol R. Johnson Associates, Inc., for Upper Charles River Reservation Restoration - Master Plan and Design Services, which calls for -
(a) An increase in compensation in the amount of $8,800.00, for design services for two additional viewing decks.
Account No. 2490-0017.
(b) An extension of time from December 31, 1997 to September 30, 1998.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 7, dated December 4, 1997, to Contract-Agreement No. PL92-017-S1A, with Carol R. Johnson Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Mrs. O'Brien, December 2, requesting that the Commission consent to and approve of the filing with the Engineering Office of the Land Court in Boston, Massachusetts, a plan entitled "Plan of Land in Everett, Massachusetts Prepared for Monsanto Company", dated November 10, 1997, by Martinage Engineering Associates, Inc., as a subdivision of part of Parcel A shown on Land Court Decree Plan No. 18691A, which new plan correctly shows parcels which were taken by the Commission by its Order of Taking, dated September 19, 1963, registered as Document No. 398224 and noted on Certificate of Title No. 73296 in Suffolk Registry District of the Land Court Book 485, Page 177.
The Commission V O T E D: to consent to and approve of the filing with the Engineering Office of the Land Court in Boston, Massachusetts, a plan entitled "Plan of Land in Everett, Massachusetts Prepared for Monsanto Company", dated November 10, 1997, by Martinage Engineering Associates, Inc., as a subdivision of part of Parcel A shown on Land Court Decree Plan No. 18691A, which new plan correctly shows parcels which were taken by the Commission by its Order of Taking, dated September 19, 1963, registered as Document No. 398224 and noted on Certificate of Title No. 73296 in Suffolk Registry District of the Land Court Book 485, Page 177.

Action was taken upon the following Various Matters:

2. Report of Miss Overton, November 18, requesting approval and execution of an Amendment to the Memorandum of Agreement between the Boston Harbor Association (TBHA) and the Metropolitan District Commission, for the Back to the Beaches Program, which provides for additional funding in the sum of $13,000.00, to support the public information services that TBHA and MDC have developed under the partnership.
Account Nos. 2440-8992 and 2410-1000.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated December 4, 1997, to the Memorandum of Agreement between the Boston Harbor Association (TBHA) and the Metropolitan District Commission, which was signed by the Commissioner and four Associate Commissioners.

3. Report of Miss Overton, December 1, requesting approval and execution of a five month Contract-Agreement with Jenna Ide, for an amount not-to-exceed $13,782.50, for Subwatershed Coordination Services, for the Neponset River Watershed Initiative Program.
Account No. 2449-8755.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated December 4, 1997, with Jenna Ide, for Subwatershed Coordination Services, for the Neponset River Watershed Initiative Program, which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Adjourned at 10:40 a.m., to meet on Thursday, December 11, 1997, at 9:00 a.m.

William F. Cusack
Secretary

Record of the Three Thousand Eight Hundred and Thirty Fourth (3834th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 11, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 20, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Higgott, November 26, requesting approval of the request of Early and Sons, Inc., Contractor on Contract No. P82-1112-C2A, for Peddock's Island Pier Replacement, to engage the services of the following sub-contractors -
Boston Towing & Transportation Services **$621,500.00**
Mobilization, Labor and Equipment
Rice & Brouillard Electric Company **$ 16,050.00**
Furnish & Install Conduit & Boxes
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Sacco, December 2, requesting the following on Contract No. P85-1341-C1A, with John J. Paonessa Co., Inc., for Rehabilitation of Lynn Shore Drive, Lynn -
1. Ratification of the action of Acting Director Faucher resulting in Alteration No. 8, for redesign and expansion of the limits to the lawn irrigation system - at a cost of $123,918.17.
2. Approval of Alteration No. 9 - to alter some components of the newly installed traffic control signals at Nahant St. - to provide a more effective and safer signal operation - at a cost of $4,017.00.

(At no increase in Contract cost due to a savings of $41,000.00, for not using contract items associated with the original irrigation system design and quantity underrun in Police Services).
The Commission V O T E D: to ratify the action of Acting Director Faucher, which resulted in Alteration No. 8, for redesign and expansion of the limits to the lawn irrigation system.
The Commission further V O T E D: to approve Alteration No. 8, in the amount of $123,918.17.
The Commission further V O T E D: to approve Alteration No. 9, to alter some components of the newly installed traffic control signals at Nahant St., in the amount of $4,017.00.

3. Report of Messrs. Faucher, Brooks and Mayhew, December 2, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities, at a cost of $122,304.45, on Contract No. PL92-017-C1A, with D & C Contracting Company, Inc., for Upper Charles River Reservation Restoration - Phase I. Funding from Account No. 2490-0017.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities, on

Contract No. PL92-017-C1A, with D & C Contracting Company, Inc., for Upper Charles River Reservation Restoration - Phase I.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $122,304.35.

1. Report of Messrs. Faucher and Machado, December 5, recommending approval of Extra Work Order No. 4 - to remove and dispose of street sweepings at Central Services property in Cambridge - at a cost of $14,000.00, on Contract No. P96-1863-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan District.
(At no increase in Contract cost as the cost of the work will be offset by unused quantities in Item No. 014-010 - Pavement Trimmings and Item No. 021-010 - Traffic Control Services).
The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of $14,000.00.

2. Report of Messrs. Faucher and Jackson, December 5, requesting approval of the action of Acting Director Faucher resulting in Extra Work Orders on Contract No. P95-1784-C2A, with Jay Cashman, Inc., for Phase I Implementation, Rehabilitation of South Boston Beaches, as follows -

Extra Work Order No. 2 **$ 4,785.37**
Removal of Additional Concrete and Hazardous Material at Kelly's Landing.

Extra Work Order No. 3 **$14,820.00**
Removal and Replacement of Deteriorated Concrete and Asphalt Sidewalks, Kelly's Landing.

Total = $19,605.37

(At no increase in Contract cost as the Extra Work will be offset by unused quantities in Item No. 200-003 - Carson Beach Sand).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order Nos. 2 and 3, on Contract No. P95-1784-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $4,785.37.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $14,820.00.

3. Report of Messrs. Faucher and Brooks, December 8, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on Contract No. P96-1859-M1A, with Lewis Refrigeration Company, Inc., for Maintenance of Refrigeration Systems located in Ice Skating Rinks within the Metropolitan Parks System, as follows -

Item No. 023-010 - Provide Maintenance Services - **$19,743.00**
Item No. 025-010 - Material and Parts - **$43,039.90**
Total = $62,782.90

Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in revisions in quantities on Contract No. P96-1859-M1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $62,782.90.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, November 25, requesting approval of Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir.
Estimated Cost - $40,000.00.
Time for Performance - five months from Notice-to-Proceed.
Account No. 2420-1400.
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Robert O'Connor, December 3, on proposals for the purchase of forest products located on the Quabbin and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of $2,400.00; to purchase approximately 359 cords of firewood on Timber Lot No. 130AA - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of $3,500.00; to purchase approximately 33,782 board feet of timber, 40 cords of firewood and 475 tons of whole tree wood on Timber Lot No. 143A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Peter Hook, of $3,650.00; to purchase approximately 243 cords of firewood on Timber Lot No. 145A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of $4,100.00; to purchase approximately 42,316 board feet of timber on Timber Lot No. 146 - Wachusett Reservoir.
The Commission further V O T E D: to accept the highest qualified bid, that of Chet Lubelczyk, of $1,080.00; to purchase approximately 144 cords of firewood on Timber Lot No. 688AA - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprise, of $20,851.00; to purchase approximately 253,453 board feet of timber, 19 cords of firewood and 924 tons of pulp on Timber Lot No. 699AA - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the second highest qualified bid that of King-Chaffee Enterprise, of $36,510.00; to purchase approximately 337,186 board feet of timber, 14 cords of firewood and 441 tons of pulp on Timber Lot No. 709A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Rich Williams Logging, of $698.75; to purchase approximately 65 cords of firewood on Timber Lot No. 711A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Specialty Timber, of $41,240.00; to purchase approximately 224,670 board feet of timber, 130 cords of firewood and 36 cords in tops on Timber Lot No. 718A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified

bid, that of T. Jepson & Son, of $28,136.00; to purchase approximately 169,700 board feet of timber, 250 cords of firewood, 100 cords in tops and 12 tons of pulp on Timber Lot No. 798 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Rich Williams Logging, of $770.25; to purchase approximately 14,310 board feet of timber, 55 cords of firewood and 7 cords in tops on Timber Lot No. 799 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbards Forest Industries, of $23,650.00; to purchase approximately 195,261 board feet of timber, 37 cords of firewood and 66 tons of pulp on Timber Lot No. 800 - Quabbin Reservoir Watershed.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
Following a lengthy discussion the Commission V O T E D: to Hold Over the matter pending the results of a meeting with Acting General Counsel, Michael R. McDonald and John Shea, Legal Counsel for Boston Duck Tours, L.P., to clarify issues relating to the permit.

Action was taken upon the following Various Matter:

2. Report of Mr. Jewett, December 8, recommending approval and requesting authorization for Commissioner Balfour to execute on behalf of the Commission the following eight (8) Contract-Agreements for Watershed Land Acquisition Program FY98 for Professional Real Estate Title Examination Services Worcester and Franklin Counties - Open Order Contract No. RP98-0002 -

NAME	VALUE	PARCELS
Law Offices of Roberta L. Brundett	$ 5,425.00	6
Law Offices of Peter E. Flynn, P.C.	$12,385.00	16
George S. Norton, Esquire	$11,445.00	20
Tamagni & Bloomenthal, P.C.	$ 9,500.00	9
Nancy Mahoney Harris, Esquire	$ 9,790.00	11
Perlman, Rubin & Stein, P.C.	$ 8,100.00	10
Murphy & Guaetta, P.A.	$ 4,800.00	6
Law Offices of Robert W. Anctil	$ 4,950.00	11

Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission the following eight (8) Contract-Agreements for Watershed Land Acquisition Program FY98 for Professional Real Estate Title Examination Services Worcester and Franklin Counties - Open Order Contract No. RP98-0002.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, December 8, requesting authorization to expend $68,000.00, within this Fiscal Year, on Contract No. RP98-0002 - Open Order Contract - Real Estate Title Examination Services for Watershed Land Acquisition in FY98, for costs related to the examinations of title to watershed land and for all purposes consistent with Sections 6 and 12 of Chapter 36 of the Acts of 1992 (Cohen Bill), as amended.
Account No. 2420-1402.
The Commission V O T E D: authorization to expend $68,000.00, within this Fiscal Year, on Contract No. RP98-0002 - Open Order Contract - Real Estate Title Examination Services for Watershed Land Acquisition in FY98, as requested by Mr. Gray in his report of December 8, 1997.

2. Report of Mr. Gray, December 8, recommending that the Commission approve and accept a deed of gift of approximately 1.25 acres of land owned by Marsh Land Corporation, located in the Town of Saugus, Massachusetts, for parks purposes, and to authorize the Commissioner to execute on behalf of the Commission any and all documents and related instruments required to acquire said property.
The Commission V O T E D: to approve and accept a deed of gift of approximately 1.25 acres of land owned by Marsh Land Corporation, located in the Town of Saugus, Massachusetts, for parks purposes.
The Commission further V O T E D: to authorize the Commissioner to execute on behalf of the Commission any and all documents and related instruments required to acquire said property.

3. Report of Mr. Gray, December 8, 1997, recommending that the Commission approve and accept a deed of gift of approximately 15.55 acres of land owned by Ralph L. Galante and Donna M. Anderson, located in the Town of Saugus, Massachusetts, for parks purposes, and to authorize the Commissioner to execute on behalf of the Commission any and all documents and related instruments required to acquire said property.
The Commission V O T E D: to approve and accept a deed of gift of approximately 15.55 acres of land owned by Ralph L. Galante and Donna M. Anderson, located in the Town of Saugus, Massachusetts, for parks purposes.
The Commission further V O T E D: to authorize the Commissioner to execute on behalf of the Commission any and all documents and related instruments required to acquire said property.

4. Report of Mr. Gray, December 8, recommending that the Commission approve and accept a deed of gift of approximately 0.5985 acres of land owned by Edwin M. Thomas Sr., et al, Trustees of Truman Highway Trust, located in the City of Boston, Massachusetts, for parks purposes, and to authorize the Commissioner to execute on behalf of the Commission any and all documents and related instruments required to acquire said property.
The Commission V O T E D: to approve and accept a deed of gift of approximately 0.5985 acres of land owned by Edwin M. Thomas Sr., et al, Trustees of Truman Highway Trust, located in the City of

Boston, Massachusetts, for parks purposes.
The Commission further V O T E D: to authorize the Commissioner to execute on behalf of the Commission any and all documents and related instruments required to acquire said property.

Adjourned at 10:40 a.m., to meet on Thursday, December 18, 1997, at 9:00 a.m.

William F. Cusolito
Secretary

Record of the Three Thousand Eight Hundred and Thirty Fifth (3835th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 18, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on December 4, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Amendment No. 1, dated December 18, 1997, to Contract-Agreement No. P82-1129-D1A, with Vanasse Hangen Brustlin, Inc., for Engineering Services for the Rehabilitation of Morrissey Boulevard and Redesign of the John J. Beades Bridge, Dorchester.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Brooks, December 10, recommending approval of the request of the Contractor for an extension of time from October 20, 1997 to February 20, 1998, on Contract No. P97-1906-C1A, with Multitemp Mechanical Corp., for Replacement of Dehumidifiers at Reilly Rink, Brighton - Shea Rink, Quincy - Bryan Rink, West Roxbury and Murphy Rink, South Boston, due to the need to install a new dehumidifier at the Murphy Rink.
The Commission V O T E D: to approve an extension of time from October 20, 1997 to February 20, 1998, on Contract No. P97-1906-C1A, as recommended by Messrs. Faucher and Brooks in their report of December 10, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Jackson, December 11, recommending approval of the request of the Contractor for an extension of time from January 8, 1998 through May 31, 1998, on Contract No. P97-1917-C1A, with West Princeton Corporation, for Interpretive Plaza at Don Kent Park, Quincy due to delays in the manufacturing of the specialty granite work required for the project. (At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from January 8, 1998 through May 31, 1998, on Contract No. P97-1917-C1A, as recommended by Messrs. Faucher and Jackson in their report of December 11, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Higgott, December 8, requesting approval of the request of SEA Consultants, Inc., for an extension of time from December 31, 1997 to December 31, 1999, on Contract No. P80-0844-D4A, for Beaver Brook Flood Mitigation

Project - Reach II & III, due to the delay in bidding the project caused by capital spending constraints.
Messrs. Faucher and Higgott further request execution of the Amendment by the Commission).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated December 18, 1997, to Contract-Agreement No. P80-0844-D4A, with SEA Consultants, Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Messrs. Faucher and Brooks, December 12, recommending approval of the action of Acting Director Faucher resulting in a revision in quantities on Item No. 002-020, in the amount of $160.00 - for removal of additional concrete blockwall, on Contract No. P96-1840-C1A, with Allied Weatherproofing Company, Inc., for Rehabilitation of the Main Pool and Installation of New Filtration System at Hyde Park Pool.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 002-012 - Concrete Deck and Walk Removal).
Messrs. Faucher and Brooks further request approval of an extension of time from September 30, 1997 to November 30, 1997, to complete work and process final payments.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in a revision in quantities on Item No. 002-020, on Contract No. P96-1840-C1A.
The Commission further V O T E D: to approve the revision in quantities, in the amount of $160.00.
The Commission further V O T E D: to approve an extension of time from September 30, 1997 to November 30, 1997, on Contract No. P96-1840-C1A, as recommended by Messrs. Faucher and Brooks in their report of December 12, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Mr. Faucher and Ms. Pfetsch, December 12, recommending the following on Contract No. P94-1749-D1A, with David P. Handlin and Associates, for Design Services for Captain's House Renovations, South Region Headquarters, Blue Hills -
(a) That work be accepted as completed as of August 31, 1997.
(b) That Final Invoice (No. 4), in the amount of $12,469.82, be approved for payment.
(Basis of Award - $22,500.00)
(Amount to Date - $28,771.07)
(Consultant Performance Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of David P. Handlin and Associates, Consultant under Contract No. P94-1749-D1A, be and hereby is accepted as completed as of August 31, 1997.
The Commission further V O T E D: to approve Final Invoice (No. 4), in the amount of $12,469.82, for payment.

1. Report of Messrs. Faucher, Brooks and Park, December 12, recommending approval of the request of the Contractor for an extension of time from December 11, 1997 to May 1, 1998, on Contract No. P98-1943-C1A, with Reliable Roofing, Inc., for Emergency Contract to Replace the Roof at Stony Brook Maintenance Garage, as the final coating can not be applied until spring.
The Commission V O T E D: to approve an extension of time from December 11, 1997 to May 1, 1998, on Contract No. P98-1943-C1A, as recommended by Messrs. Faucher, Brooks and Park, in their report of December 12, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Brooks and Mayhew, December 15, recommending approval of the request of the Contractor for an extension of time from December 1, 1997 to December 31, 1997, on Contract No. P97-1894-C1A, with G & R Construction Company, for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston, to complete additional work requested by the Commission.
The Commission V O T E D: to approve an extension of time from December 1, 1997 to December 31, 1997, on Contract No. P97-1894-C1A, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of December 15, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Brooks, December 5, recommending approval of Extra Work Order No. 3 - for removal of an interior concrete block wall, structurally securing opening, core drilling holes and re-routing plumbing - at a corrected amount of $7,556.77, on Contract No. P97-1885-C1A, with Allied Weatherproofing Company, Inc., for Rehabilitation of the Main Pools and Installation of New Filtration and Water Treatment Systems at the (Holland) Malden and (Allied Vets) Everett Pools. Account No. 2440-9800.
Messrs. Faucher and Brooks also recommend an extension of time from September 30, 1997 to May 15, 1998, to complete the additional work.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of $7,556.77.
The Commission further V O T E D: to approve an extension of time from September 30, 1997 to May 15, 1998, on Contract No. P97-1885-C1A, as recommended by Messrs. Faucher and Brooks in their report of December 5, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Jackson, December 15, requesting approval of an extension of time from December 19, 1997 to May 31, 1998, on Contract No. P95-1784-C2A, with Jay Cashman, Inc., for Phase I Implementation, Rehabilitation of South Boston Beaches.

(The extension is for administrative purposes only and shall in no way effect the liquidated damages provisions of Article XXI. Further, this extension shall not act as a waiver on the part of the Commission of any of its rights under the contract).
The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article XXII, from December 19, 1997 to May 31, 1998, as recommended by Messrs. Faucher and Jackson in their report of December 15, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages in Article No. XXI, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

1. Report of Messrs. Faucher and Machado, December 11, recommending approval of revisions in quantities on the following items on Contract No. P96-1862-C1A, with South Shore Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Location of the Metropolitan Park System -

Item No. 046-010	**$14,407.50**
3" x 4" Wood Rail on Concrete Posts	
Item No. 059-010	**$ 4,274.00**
Black Vinyl Chain Link Fence, 6 Ft. High	
Item No. 063-010	**$13,797.00**
Black Vinyl Chain Line Fence, 10 Ft. High	
Item No. 067-010	**$14,536.00**
Repair or Replace 6 Gage Black Vinyl Clad Chain Link Fence 3 Ft. to 3 Ft.- 6 Inches High	
Item No. 076-010	**$ 2,698.20**
Repair or Replace Embankment Fence	
	Total = $49,712.70

(At no increase in Contract cost as the revisions will be offset by unused quantities in other items).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Robert O'Connor, November 24, recommending that the Commission Amend its vote of March 27, 1997, approving the Inter-Governmental Services (ISA) Agreement with the University of Massachusetts, Department of Forestry and Wildlife Management, for the acquisition of a log truck and skidder by the Commission in exchange for the transfer of logs to the University of Massachusetts, by approving a changing of a section in the Scope of Services to read - that the MDC make all four deliveries of logs and that the University sell the logs for the agreed amount of $50,000.00, before the log truck and skidder would be delivered to the MDC.
Messrs. McGinn and O'Connor further request authorization for Commissioner Balfour to execute the ISA on behalf of the Commission.

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The Commission V O T E D: to amend its vote of March 27, 1997, approving the Inter-Governmental Services (ISA) Agreement with the University of Massachusetts, Department of Forestry and Wildlife Management, for the acquisition of a log truck and skidder by the Commission in exchange for the transfer of logs to the University of Massachusetts, by approving a changing of a section in the Scope of Services to read - that the MDC make all four deliveries of logs and that the University sell the logs for the agreed amount of $50,000.00, before the log truck and skidder would be delivered to the MDC.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the ISA on behalf of the Commission.

1. Report of Messrs. McGinn and Robert O'Connor, December 4, submitting for approval and execution of a Joint Funding Agreement with the United States Geological Survey, for Phase II of the Study of Wetland Type and Location Effects on Stream Water Quality in the Quabbin Reservoir Drainage Basin - Contract No. WM98-089-S1A.
MDC 50% share of the cost is $25,000.00.
Time for Performance - October 1, 1997 - September 30, 1998.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated December 18, 1997, with the United States Geological Survey, for Phase II of the Study of Wetland Type and Location Effects on Stream Water Quality in the Quabbin Reservoir Drainage Basin - Contract No. WM98-089-S1A, which was signed by the Commissioner and three Associate Commissioners.

2. At this point, the Commission commended Mr. Paul Lyons, Natural Resource Specialist with the Division of Watershed Management and Trooper Walter Dacyczyn of the State Police at Quabbin Barracks, for their efforts in saving the life of a plane crash victim at great personal risk, on the afternoon of December 9, 1997.
Both Mr. Lyons and Trooper Dacyczyn were on duty at the Quabbin deer hunt on the afternoon of the 9th when a hunter reported a small plane had crashed into the reservoir off the shore of the Prescott Peninsula. Through their fast action and cool-headed response, they mobilized to find the exact location of the plane and transport a small boat to the location. At the same time, they radioed for an ambulance to respond to the scene. Within minutes they entered the icy waters of the reservoir in a small flat-bottomed boat, which was on site to retrieve deer from the immediate shoreline area during the two-day Prescott hunt.
After searching the reported crash site, a half mile offshore, Mr. Lyons and Trooper Dacyczyn were able to spot the barely floating body of one of the crash victims through binoculars. At great risk to their own safety, they pulled the survivor into the small boat, only a matter of a few minutes before he would have gone below the frigid waters.
The Commission directed Secretary Chisholm to forward a copy this Commendation to Mr. Lyons and Trooper Dacyczyn, in recognition of their efforts to save this individual's life.

1. Report of Messrs. McGinn and Baratta, December 16, requesting approval of Amendment No. 7, for an extension of time from December 31, 1997 to June 30, 1998, on Contract No. WM95-061-D1A, with Weston & Sampson Engineers, for Fast Track Sewer Design - West Boylston/Holden.
(Messrs. McGinn and Baratta further request authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, December 15, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Amendments to eight (8) of ten (10) contracts for Professional Real Estate Appraisal Services relating to the FY98 Watershed Land Acquisition Program, as approved by the Commission at its Meeting of September 11, 1997.
The Commission is further requested to rescind its vote of September 11, 1997, awarding a Professional Real Estate Appraisal Services Contract-Agreement to Leo M. Flynn.

NAME	VALUE	PARCELS
Paul V. O'Leary & Associates	$ 31,000.00	8
Increase -	$ 2,500.00	Increase - 1
New Totals =	$ 33,500.00	9
Reynolds Company	$ 25,512.00	7
Increase -	$ 31,200.00	Increase - 8
New Totals =	$ 56,712.00	15
Peter S. Emerson & Associates	$110,000.00	41
Increase -	$ 29,200.00	Increase - 9
New Totals =	$139,200.00	50
Meredith & Grew, Inc.	$ 39,300.00	16
Increase -	$ 20,100.00	Increase - 6
New Totals =	$ 59,400.00	22
O'Connor Real Estate Assoc., Inc.	$ 42,900.00	22
Increase -	$ 12,400.00	Increase - 3
New Totals =	$ 55,300.00	25

NAME		VALUE	PARCELS
G & M Valuation		$ 46,550.00	23
	Increase -	$ 19,200.00	Increase - 8
	New Totals =	$ 65,750.00	31
Ellen Harding Anderson		$101,650.00	39
	Increase -	$ 22,900.00	Increase - 8
	New Totals =	$124,550.00	47
Peterson/LaChance Realty Advisors		$ 44,800.00	16
	Increase -	$ 4,600.00	Increase - 2
	New Totals =	$ 49,400.00	18

Account No. 2420-1402.
The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of December 15, 1997.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Amendments to eight (8) of ten (10) contracts for Professional Real Estate Appraisal Services relating to the FY98 Watershed Land Acquisition Program.
The Commission further V O T E D: to rescind its vote of September 11, 1997, awarding a Professional Real Estate Appraisal Services Contract-Agreement to Leo M. Flynn.

1. Report of Mr. Jewett, December 12, on behalf of the Consultant Selection Committee, requesting selection of Parsons Brinckerhoff, for Contract No. P97-1877-D1A, for Winthrop Shores Reservation Restoration - Boston Harbor Beaches Program.
Estimated Cost - $700,000.00 - subject to negotiations.
Time for Performance - forty eight months.
Account Nos. 2440-8956 and 2490-8915.
The Commission V O T E D: Approved.

2. Report of Ms. Overton, December 16, requesting approval of Amendment No. 6, for an extension of time from December 31, 1997 to February 28, 1998, on Contract No. P96-1824-S1A, with Fugro East, Inc., for Development of a Resource Management Plan for the Lands Owned and Managed within the Fowl Meadow/Ponkapoag Area of Critical Environmental Concern.
(Miss Overton further requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Adjourned at 10:40 a.m., to meet on Thursday, January 8, 1998, at 9:00 a.m.

William F. Arnold
Secretary

Record of the Three Thousand Eight Hundred and Thirty Sixth (3836th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 8, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on December 11, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. WM95-085-D1A, dated January 8, 1998, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Mayhew, December 30, recommending approval of revisions in quantities on the following items on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase 1B -

Item No. 02200-3	- Crushed Stone	$ 18,750.00
Item No. 02200-5	- Ordinary Borrow from on-site Sources	$ 11,200.00
Item No. 02200-7	- Unclassified Excavation	$ 87,875.00
Item No. 02200-9	- Filter Fabric	$ 7,500.00
Item No. 02500-1	- Bituminous Concrete Paving	$ 21,840.00
Item No. 02500-10	- Granite Interpretive Plaque in Paving	$ 1,000.00
Item No. 02800-2	- Granite Piers	$ 40,000.00
Item No. 02800-13	- Wood Fence	$ 12,500.00
Item No. 02800-7	- Wood & Steel Bench	$ 1,600.00
Item No. 02800-8	- Chain Link Fence	$ 3,150.00
	Total -	$205,415.00

Account No. 2490-0017.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Mayhew, December 30, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - to move the bike path and relocate the erosion control barrier - at a cost of $1,405.29, on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase 1B.
Account No. 2490-0017.
The Commission V O T E D: to the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. PL92-017-C2A, with D & C Construction Company, Inc.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $1,405.29.

4. Report of Messrs. Faucher, Brooks and Mayhew, December 29,

recommending approval of the action of Acting Director Faucher resulting in Alteration No. 1 - for purchase of 8" x 8" plastic wood piers in lieu of 8" x 6" plastic wood piers - at an increase in cost of $1,304.10, on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase 1B.
Account No. 2490-0017.
The Commission V O T E D: to the action of Acting Director Faucher which resulted in Alteration No. 1, on Contract No. PL92-017-C2A, with D & C Construction Company, Inc.
The Commission further V O T E D: to approve Alteration No. 1, in the amount of $1,304.10.

1. Report of Messrs. Faucher, Brooks and Mayhew, December 22, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - for an additional 250 yards of gravel to fill void caused by removal of contaminated soil - at a cost of $3,500.00, on Contract No. P97-1883-C1A, with MRP Site Development, Inc., for Demolition of Peter J. Kelly Ice Skating Rink, Jamaica Plain.
Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P97-1883-C1A, with MRP Site Development, Inc.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $3,500.00.

2. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, December 19, recommending approval of the request of the Contractor for an extension of time from December 26, 1997 to December 31, 1998, on Contract No. PL82-1022-C1A, with R.H.D. Construction Co., Inc., for Revere Landing Park, due to conditions which caused delays in completing plantings.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from December 26, 1997 to December 31, 1998, on Contract No. PL82-1022-C1A, as recommended by Mrs. O'Brien and Messrs. Faucher and Griffin in their report of December 19, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Griffin, December 17, recommending authorization for R.H.D. Construction Company, Inc., General Contractor, to engage the services of Boston Fence & Supply, as Sub-Contractor for Item No. 040-010 - temporary fencing - at a cost of $3,800.00, on Contract No. PL82-1022-C1A, for Revere Landing Park.
(At no additional Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Griffin in their report of December 17, 1997.

4. Report of Messrs. Faucher and Jackson, December 5, recommending the following on Contract No. P97-1908-C1A, with Ledgewood Construction Co., Inc., for Reconstruction of New Playground at

Marine Park, South Boston -
(a) That work be accepted as completed as of November 29, 1997.
(b) That Estimate No. 4 (Final), in the amount of $9,130.31, be approved for payment.
(c) That reserve, in the amount of $2,405.50, be approved for payment.

(Basis of Award - $38,500.00)
(Amount to Date - $48,110.85)
(Contract Performance Rating - 3.66)
(EEO Compliance - 4.80)

The Commission V O T E D: that the work of Ledgewood Construction Co., Inc., Contractor under Contract No. P97-1908-C1A, be and hereby is accepted as completed as of November 29, 1997.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $9,130.31, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,405.50, be approved for payment.

1. Report of Messrs. Faucher and Higgott, December 29, recommending approval of Alteration No. 1 - for purchase of temporary float system, at a cost of $35,000.00, in lieu of $37,500.00 for five months rental, on Contract No. P82-1112-C2A, with Early and Sons, for Peddocks Island Pier Replacement.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $35,000.00.

2. Report of Messrs. Faucher and DiPietro, December 23, requesting approval of Amendment No. 1, to Contract No. P87-1449-M6B, with G & L Laboratory, for Analytical Services for Water Quality Testing at MDC Facilities, to include water quality analyses for stormwater outfalls discharging to the Charles River, at an increase in FY98 - from $40,000.00 to $50,000.00 and FY99 from $40,000.00 to $50,000.00. Funds are available in Account No. 2440-0010 for FY98 and funding for FY99 is subject to appropriation.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Mayhew, December 30, recommending approval of Alteration No. 1 - a credit in the amount of $8,301.10 - for re-installing a major portion of the glycol drained from the existing refrigeration system into the new refrigeration system, on Contract No. P97-1894-C1A, with G & R Construction, Inc., for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston.
The Commission V O T E D: to approve Alteration No. 1, at a credit to the Commission, in the amount of $8,301.10.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Robert O'Connor, December 9, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. WM98-097-M1P, for Sudbury Reservoir Tributary Tree Planting.

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Estimated Cost - not-to-exceed $25,000.00.
Time for Performance - March 1, 1998 to December 1, 1998.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM98-097-M1P, for Sudbury Reservoir Tributary Tree Planting.

1. Report of Mr. McGinn and Ms. Austin, December 9, requesting approval of Interdepartmental Service Agreement with the University of Massachusetts, Amherst, Department of Civil and Environmental Engineering, for Project Continuation - Development of Methods to Differentiate Microorganisms in MDC Reservoir Watersheds, Contract No. WM98-026-S1A.
Time for Performance - March 1, 1998 through June 30, 1999.
Total Obligation - $99,749.00.
FY98 - $24,805.00 - Account No. 2420-1400 HH.
Funding for the second year is contingent upon appropriations being made through the annual budgetary process.
The Commission V O T E D: Approved as recommended by Mr. McGinn and Ms. Austin in their report of December 9, 1997.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Doak, January 5, requesting that the Commission cancel or void the concession permit and its unpaid fee of $1,700.00, owed to the Commission by William "Billy Bear" McAllister, for the operation of a concession during the 1995, 1996 and 1997 seasons, outside of Dilboy Stadium, Somerville.
The Commission V O T E D: to ask Mr. Michael McDonald, Acting MDC General Counsel, to prepare a release of any and all claims to be signed by William "Billy Bear" McAllister, before the concession permit and its unpaid fee of $1,700.00, are cancelled or voided.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over until the Commission Meeting of March 12, 1998.

Action was taken upon the following Various Matters:

4. Report of Mr. Jewett, January 5, on behalf of the Consultant Selection Committee, requesting approval of the selection of CONECO Environmental Corporation, for Compliance and Site Assessment Services, Wachusett Reservoir Watershed.
Compensation - $20,000.00, subject to negotiation.

Time for Performance - four months.
Account No. 2420-1400.
The Commission V O T E D: Approved.

1. Report of Mr. Jewett, January 5, on behalf of the Consultant Selection Committee, requesting approval of the selection of Beals and Thomas, Inc., for Contract No. WM96-078-X1A, for Town of Rutland Master Plan and Zoning By-Law.
Compensation - estimated at $150,000.00.
Time for Performance - twenty four months.
Account No. 2420-1400.
The Commission V O T E D: Approved.

2. Report of Mr. Jewett, January 5, on behalf of the Consultant Selection Committee, requesting approval of the selection of Pressley Associates, Inc., for Contract No. PL97-046-D1A, for Historic Dam - North and South - New Charles River Basin.
Compensation - estimated at $560,000.00 - subject to negotiation.
Time for Performance - forty months.
Account No. 2449-0001.
The Commission V O T E D: Approved.

Adjourned at 10:00 a.m., to meet on Thursday, January 15, 1998, at 9:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Eight Hundred and Thirty Seventh (3837th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 15, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on December 18, 1997 were read and approved.

The Secretary submitted the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P97-1870-C5A, dated January 15, 1998, with D & R General Contracting/MDR Construction Co., Inc., for Playground Construction at Pearce Lake, Saugus.

2. Contract No. P97-1870-C6A, dated January 15, 1998, with D & R General Contracting/MDR Construction Co., Inc., for Reconstruction of Houghton's Pond Playground, North Entrance, Milton.

3. Contract No. P97-1870-C4A, dated January 15, 1998, with D & R General Contracting/MDR Construction Co., Inc., for Reconstruction of Murphy Playground, Foss Park, Somerville.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Jackson, January 7, on bids for Selective Clearing and Pruning of Bellevue Hill, Contract No. P98-1934-C1A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of Tree Technology and Landscaping, of $29,556.00).
The Commission V O T E D: to accept the lowest bid received, that of Tree Technology and Landscaping, of $29,556.00.

5. Report of Messrs. Faucher and Mrs. Graves-Jones, January 7, on bids for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts, Contract No. P98-1925-M1A.
(Messrs. Faucher and Mrs. Graves-Jones recommend acceptance of the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $568,295.00).
The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $568,295.00.

6. Report of Mr. Faucher and Ms. Pomorska, January 7, on bids for Servicing Traffic Signals and Control Systems, Middlesex Fells and Revere Beach Districts, Contract No. P98-1926-M1A.
(Mr. Faucher and Ms. Pomorska recommend acceptance of the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $533,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $533,000.00.

1. Report of Messrs. Faucher and Soroka, January 7, on bids for Servicing Traffic Signals and Control Systems, Charles River Basin Districts, Contract No. P98-1927-M1A.
(Messrs. Faucher and Soroka recommend acceptance of the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $532,318.00).
The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $532,318.00.

2. Report of Messrs. Faucher and Higgott, January 9, on bids for Removal and Replacement of Sluice Gates and Culvert Gates and Related Work at the Charles River Dam, Charlestown, P98-1940-C1A.
(Messrs. Faucher and Higgott recommend acceptance of the lowest bid received, that of Tasco Construction, Inc., of $560,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Tasco Construction, Inc., of $560,000.00.

3. Report of Messrs. Faucher, Brooks and Mayhew, December 22, recommending approval of the request of the contractor, D & C Construction Company, Inc., on Contract No. PL92-017-C2A, to engage the services of the following sub-contractors, for Upper Charles River Reservation Restoration - Phase IB -

Jager Construction Company, Inc.
Item No. 02800-25- Helical Pier Footing for Deck (to a 5'Depth) and
Item No. 02800-26- Helical Pier Footing Extensions (beyond 5' Depth)
Approximate Value - $6,000.00.

Tilcon Capaldi, Incorporated
Item No. 02500-1- Bituminous Concrete
Approximate Value - $60,500.00.

DeLuca Fence Company, Inc.
Item No. 02800-8, 12, 13, 14, 15, 22 and 28-Installation of Guard Rail and Fencing.
Approximate Value - $106,663.00.

Meridian Engineering Collaborative, Inc.
Item No. 02100- Land Surveying Services
Approximate Value - $13,000.00.

Stone Cast, Inc.
Item Nos. 02500- 3,4,5,6,7,8,9,11 and 12
Item Nos. 02800- 1,4 & 5
Item No. 05000- 3, Granite Curbing, Granite Pavers, Concrete Pavers, Granite Walls, Bike Rack, Granite Wall Cap & Concrete Pavement.
Approximate Value - $95,000.00.

Total = $281,163.00.

The Commission V O T E D: Approved as recommended by Messrs. Faucher, Brooks and Mayhew in their report of December 22, 1998.

4. Report of Messrs. Faucher and Kirwin, January 8, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1929-C1A, for Installation of Traffic Signal Systems, Day Boulevard at O and P

Streets, South Boston.
Estimate Cost - $200,000.00.
Time of Performance - completion by June, 1998
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1929-C1A, for Installation of Traffic Signal Systems, Day Boulevard at O and P Streets, South Boston.

1. Report of Messrs. Faucher and Hamel, January 7, on bids for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties, Contract No. P98-1938-M1A.
(Messrs. Faucher and Hamel recommend acceptance of the lowest corrected bid, that Boston Edison Company, of $526,986.90).
The Commission V O T E D: to accept the lowest corrected bid, that Boston Edison Company, of $526,986.90.

2. Report of Messrs. Faucher and Thurlow, December 2, recommending the following on Contract No. P92-1628-C5A, with Foye & Letendre Landscape, Inc., for Parkway Improvements at Various Locations -
(a) That work be accepted as completed as of September 30, 1997.
(b) That reserve, in the amount of $10,380.70, be approved for payment.
(Basis of Award - $211,420.00)
(Amount to Date - $207,614.00)
(Contract Performance Rating - 3.60)
(EEO Compliance - 2.75)
The Commission V O T E D: that the work of Foye & Letendre Landscape, Inc., Contractor under Contract No. P92-1628-C5A, be and hereby is accepted as completed as of September 30, 1997.
The Commission further V O T E D: to approve release of reserve, in the amount of $10,380.70, for payment.

3. Report of Messrs. Faucher and Machado, January 6, recommending approval of a revision in quantities on Item No. 007-010 - Bituminous Concrete - in the amount of $89,250.00, on Contract No. P96-1863-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan District.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 002-010 - Cold Planing and Extra Work Order No. 2 - Modified Asphaltic Plug Type Joints that was approved for the replacement of joints on the Longfellow Bridge and Sweetser Overpass and Railroad Bridge).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Brooks and Abounaja, January 8, recommending approval of a revision in quantities on Item No. 005-006 - Excavation and Disposal of Soil at Landfill for Daily Cover - in the amount of $56,00000 - on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-008 - Excavation and Lawful Disposal of Contaminated Soil).
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over until the Commission Meeting of March 12, 1998.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, January 9, on behalf of the Consultant Selection Committee, requesting approval of the selection of GEI Consultants, Inc., for Feasibility Study for Securing Public Safety at Quincy Granite Rail Quarry, Quincy, Contract No. P98-1930-S1A.
Compensation - estimated at $100,000.00 - subject to negotiations.
Time of Performance - eighteen months.
Account No. 2496-8968.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Mr. Gray and Mrs. O'Brien, January 8, recommending that the Commission adopt an Order of Taking for approximately 0.315 acres of land owned by Columbia Tire Exchange, Inc., and/or The Trust for Public Land, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of $235,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and Chapter 79A; and further grant to Columbia Tire Exchange, Inc., the right to remain in operation on the premises acquired hereby, so long as it vacates the property on or before May 15, 1998.

The Commission V O T E D: to adopt an Order of Taking for approximately 0.315 acres of land owned by Columbia Tire Exchange, Inc., and/or The Trust for Public Land, located in the City of Boston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, January 15, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

A certain parcel of land situated in that part of the City of Boston known as Dorchester, bounded and described as follows:

NORTHWESTERLY	by the southeasterly line of Edgewater Drive, one hundred one and 89/100 (101.89) feet;
NORTHEASTERLY	by Lot 2 as shown on the plan hereinafter mentioned, ninety and 27/100 (90.27) feet;
SOUTHEASTERLY	two hundred two and 23/100 (202.23) feet; and
WESTERLY	one hundred thirty-four and 91/100 (134.91) feet by land now or formerly of the Commonwealth of Massachusetts.

Said land is shown as Lot 1 on a subdivison plan drawn by L.W. DeCelle Surveyors, Inc., dated July 14, 1961, as

approved by the Land Court, filed in the Land Registration Office as Plan No. 24211B, a copy of a portion of which is filed with Certificate of Title No. 68576 in the Suffolk Registry District of the Land Court.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Edgewater Drive which may be held by the supposed owner, and being the same premises described in a deed from Francis Leahy, Trustee of The Leahy Trust, to Columbia Tire Exchange, Inc., dated January 29, 1969, and recorded with the Suffolk Registry District of the Land Court as Document No. 292274, and as described in Certificate of Title No. 78885 issued by said Court and filed with said Registry District.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land, and subject to such flowage rights as may exist at the date of the original decree.

The Commission expressly grants Columbia Tire Exchange, Inc., the right to remain and operate on said premises on and after the date of the recording of this order, so long as it vacates the premises no later than May 15, 1998, subject to the terms and provisions of any commercial lease or other such agreement by and between Columbia Tire Exchange, Inc., and The Trust for Public Land, which may be in force and effect prior to the date of the recording of said order.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Columbia Tire Exchange, Inc., Document No. 292274, Certificate of Title No. 68576, and/or The Trust for Public Land.	$ 235,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $235,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and Chapter 79A.
The Commission further V O T E D: to grant to Columbia Tire Exchange, Inc., the right to remain in operation on the premises acquired hereby, so long as it vacates the property on or before May 15, 1998.

Adjourned at 9:40 a.m., to meet on Thursday, January 22, 1998, at 9:00 a.m.

William F. Cusolito
Secretary

Record of the Three Thousand Eight Hundred and Thirty Eighth (3838th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 22, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on January 8, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Martinez, December 29, recommending the following on Contract No. P98-1932-C1A, with P. Caliacco Corp., for Water and Sewer Building Line Connections at Shea Rink, Quincy -
(a) That work be accepted as completed as of December 15, 1997.
(b) That Estimate No. 1 (Final), in the amount of $49,970.00, be approved for payment.
(c) That reserve, in the amount of $2,630.00, be approved for payment.
(Basis of Award - $52,600.00)
(Amount to Date - $52,600.00)
(Contract Performance Rating - 4.00)
(EEO Compliance - 4.60)
The Commission V O T E D: that the work of P. Caliacco Corp., Contractor, under Contract No. P98-1932-C1A, be and hereby is accepted as completed as of December 15, 1997.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $49,970.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,630.00, for payment.

2. Report of Messrs. Faucher, Brooks, Haider and Park, January 12, on bids for Roof Replacement at the Stoneham Central Services Garage, Stoneham, Contract No. P98-1941-C1A.
(Messrs. Faucher, Brooks, Haider and Park recommend acceptance of the lowest bid received, that of Gibson's Roofs, Inc., of $91,000.00 and request that the Commission execute the Contract.
The Commission V O T E D: to accept the lowest bid received, that of Gibson's Roofs, Inc., of $91,000.00.
The Secretary submitted for signature Contract No. P98-1941-C1A, dated January 22, 1998, with Gibson's Roofs, Inc., which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. Faucher, McDonald and Jewett, January 15, requesting that the Commission vote to find Allied Weatherproofing Company, Inc., in breach of Contract No. P97-1887-M1A, for Service and Repairs to all MDC Swimming Pools and Service Buildings, within the Park System, for failure to perform necessary work as directed by the engineer and required under terms of the Contract.
The Commission V O T E D: to find Allied Weatherproofing Company, Inc., in breach of Contract No. P97-1887-M1A, for Service and

Repairs to all MDC Swimming Pools and Service Buildings, within the Park System, for failure to perform necessary work as directed by the engineer and required under terms of the Contract, as requested by Messrs. Faucher, McDonald and Jewett in their report of January 15, 1998.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, January 8, requesting approval of Extra Work Order No. 1 - to provide power and electrical outlets to laboratory areas in new modular buildings, converted to office space - at a cost of $1,900.00 - on Contract No. WM98-076-C1A, with United Electric Company, Inc., for Electric Power Connection, MDC Maintenance Yard, Clinton.
Account No. 2420-1400.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $1,900.00.

2. Report of Messrs. McGinn and Baratta, January 5, requesting approval of Amendment No. 2, to Contract No. WM97-061-D1A, with Weston and Sampson Engineers, for Master Sewer Design - Holden/West Boylston, to include additional engineering services which will be used to assist the Division during the bidding phase of each construction contract, at a cost not-to-exceed $72,360.00, and further authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.
Account No. 2420-7961.
The Commission V O T E D: to approve Amendment No. 2, to Contract No. WM97-061-D1A, with Weston and Sampson Engineers, for Master Sewer Design - Holden/West Boylston, at a cost not-to-exceed $72,360.00.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over until the Commission Meeting of March 19, 1998.

Adjourned at 9:45 a.m., to meet on Thursday, January 29, 1998, at 9:00 a.m.

William J. Cusbolk
Secretary

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Record of the Three Thousand Eight Hundred and Thirty Ninth (3839th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 29, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on January 15, 1998 were read and approved.

1. At this point, Secretary Chisholm announced that John C. Graham, Supervising Civil Engineer of the Engineering and Construction Division, retired on November 15, 1997, after more than 39 years of dedicated service with the Commission.

The Commission and Associate Commissioners then unanimously adopted the following Resolution:

RESOLUTION

"RESOLVED: That the Metropolitan District Commission, assembled in its Meeting held on January 29, 1998, does hereby express its deep and sincere appreciation to John C. Graham, Supervising Civil Engineer of the Engineering and Construction Division, for more than thirty-nine years of professional, productive service with the Commission and for the example he has set as a conscientious and dedicated public servant; that he will be missed by his many friends and co-workers; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many, and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Graham.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

2. Contract No. P98-1938-M1A, dated January 29, 1998, with Boston Edison Company, for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties.

3. Contract No. P98-1940-C1A, dated January 29, 1998, with Tasco Construction, Inc., for Removal and Replacement of Sluice Gates and Culvert Gates and Related Work at the Charles River Dam, Charlestown.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher, Brooks and Mayhew, January 14, recommending approval of Alteration No. 2, a credit in the amount of $14,000.00 - for deleting the additive Eclipse, superplastisizer and the fiber mesh from the rink slab concrete

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design - on Contract No. P97-1894-C1A, with G & R Construction, Inc., for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston.
The Commission V O T E D: to approve Alteration No. 2, at a credit to the Commission, in the amount of $14,000.00.

1. Report of Messrs. Faucher, Brooks and Mayhew, January 21, recommending that the Commission ratify the action of Acting Director Faucher resulting in Extra Work Order No. 3 - to construct a new Zamboni Room, Manager's Office and Storage Room at the facility, in the amount of $114,973.00, on Contract No. P97-1894-C1A, with G & R Construction, Inc., for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston.
Account No. 2440-9800.
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 3, on Contract No. P97-1894-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $114,973.00.

2. Report of Messrs. Faucher and Hamel, January 21, recommending approval of revisions in quantities on the following items on Contract No. P96-1821-M1A, with Boston Edison Company, for Maintenance of Street Lighting Systems on MDC Parkways and Roadways -

Item No. 009-010 - 8' Bracket Arm	- $ 233.75
Item No. 067-010 - Traffic Control Services	- $4,000.00
Total =	$4,233.75

(The cost of the revisions will be offset by unused quantities in Item No. 066-010 - Materials, Components and Parts).
The Commission V O T E D: Approved.

3. Report of Mr. Faucher and Mrs. Graves-Jones, January 20, recommending approval of revisions in quantities on the following items on Contract No. P96-1836-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts -

Item No. 002-010	$1,000.00
Materials, Components, Parts & Controls	
Item No. 005-010	$1,000.00
Labor Rate for Vehicle - Misc. Repairs	
Item No. 009-010	$ 300.00
Pedestrian Push Button and Sign	
Item No. 010-010	$ 580.00
Traffic Signal Metal Base Octagonal	
Item No. 019-010	$1,170.00
Traffic Control Services	
Total =	$4,050.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 003-020 - Traffic Signal Knockdown Repair, Item No. 007-010 - Pedestrian Signal Head - Type B, Item No. 011-010 - Cement Concrete Foundation - Remove and Discard and Item No. 011-020 - Cement Foundation - Octagonal Base).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Guidoboni, January 22, requesting approval of a payment of $5,000.00 to Bartlett Consolidated, Incorporated, for emergency repairs to a damaged pump station, located along Storrow Drive, near the Massachusetts Avenue exchange, Boston.
The Commission V O T E D: to approve a payment of $5,000.00 to Bartlett Consolidated, Incorporated, for emergency repairs to a damaged pump station, located along Storrow Drive, near the Massachusetts Avenue exchange, Boston.

2. Report of Messrs. Faucher and Higgott, January 26, requesting that the Commission amend its vote of January 8, 1998, approving Alteration No. 1 - for the purchase of temporary floats at a cost of $35,000.00, in lieu of $37,500.00 for rental of floats, at a credit of $2,500.00 on Item No. 02486, on Contract No. P82-1112-C2A, with Early & Sons, for Peddocks Island Pier Replacement.
The Commission V O T E D: to amend its vote of January 8, 1998, approving Alteration No. 1 - for the purchase of temporary floats at a cost of $35,000.00, in lieu of $37,500.00 for rental of floats, at a credit to the Commission, in the amount of $2,500.00, on Item No. 02486, on Contract No. P82-1112-C2A, with Early & Sons, for Peddocks Island Pier Replacement.

3. Report of Mr. Faucher and Ms. Pomorska, January 22, recommending approval of revisions in quantities on the following items on Contract No. P96-1837-M1A, with Coviello Electric and General Contracting Co., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts -

Item No. 004-030	$7,700.00
Labor Rate for Helper for Misc. Repairs	
Item No. 005-010	$ 600.00
Hourly Rate for Vehicle	
Item No. 019-010	$1,038.00
Traffic Control Services	
Total =	$9,338.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 003-010, 007-010, 007-020, 010-010, 011-010, 011-020, 014-010, 015-009, 015-015, 015-021, 016-010, 017-010, 018-010).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Soroka, January 22, recommending approval of revisions n quantities on the following items on Contract No. P96-1838-M1A, with Coviello Electric and General Contracting Co., for Servicing Traffic Signals and Control Systems, Charles River Basin Districts -

Item No. 003-010	$ 1,375.00
Flashing Traffic Device Repairs	
Item No. 004-010	$ 5,000.00
Labor Rate Cont. Tech	
Item No. 005-030	$ 2,450.00
Labor Rate for Helper	
Item No. 005-010	$ 250.00
Hourly Rate for Vehicle	

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Item No. 008-010 $ 480.00
Post Top Mounting 1 Way
Item No. 010-010 $ 580.00
Traffic Sign Octag.

Total = $10,135.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 002-010 - Materials, Components, Parts and Controls).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. McGinn, January 12, requesting that Contract No. WM97-020-M1A, with Waste Management of Central Massachusetts be amended to include a ten yard dumpster and a monthly pick-up at John Augustus Hall, the Division's Field Headquarters, at 180 Beaman Street, West Boylston, at a cost of $804.00.
Account No. 2420-1400.
(Current contract expires June 30, 1998).
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Misslin, January 20, requesting approval of Extra Work Order No. 1 - to connect the sanitary piping from two bathrooms in the newly erected modular building at the maintenance yard to the local sewer service and installation of 3/4 inch water service to the modular structure from the existing water line currently servicing the Wachusett Laboratory Building - at a cost of $8,050.00 - on Contract No. WM97-078-C1A, with the D'Allesandro Corporation, for Sewer and Drain Line Installation, MDC Wilson Street Maintenance Yard, Clinton.
Account No. 2420-1400.
The Commission V O T E D: to approve Extra Work Order No. 1, at a cost of $8,050.00, on Contract No. WM97-078-C1A, with the D'Allesandro Corporation.

3. Report of Mr. McGinn, January 25, recommending that the Commission enter into a Tolling Agreement with Roads Corporation which suspends or temporarily stops the time Roads Corporation is required to file a law suit relating to their claim for additional compensation until Contract No. WM95-061-C1A, for Fast Track Sewer System, West Boylston and Holden is completed.
The Commission V O T E D: Approval to enter into a Tolling Agreement with Roads Corporation which suspends or temporarily stops the time Roads Corporation is required to file a law suit relating to their claim for additional compensation until Contract No. WM95-061-C1A, for Fast Track Sewer System, West Boylston and Holden is completed, as recommended by Mr McGinn in his report of January 25, 1998.
The Secretary then submitted for signature Tolling Agreement, dated January 29, 1998, with Roads Corporation, which was signed by the Commissioner and four Associate Commissioners.

4. Report of Mr. McGinn, January 28, submitting for approval, and

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requesting authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendment No. 3, to the Wachusett Consent Order, DEP File No. 92-513, dated June 11, 1993, between and among Massachusetts Water Resources Authority, Metropolitan District Commission and the Department of Environmental Protection.
(The schedule revision covered by Amendment No. 3, relates to the abeyance of the design of filtration facilities associated with the water treatment process until review of additional data by October 1998).
The Commission V O T E D: to approve Amendment No. 3, to the Wachusett Consent Order, DEP File No. 92-513, dated June 11, 1993, between and among Massachusetts Water Resources Authority, Metropolitan District Commission and the Department of Environmental Protection.
The Commission further V O T E D: authorization for Commissioner Balfour to execute Amendment No. 3, on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Planning:

1. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over until the Commission Meeting of March 19, 1998.

2. Report of Mrs. O'Brien, January 26, recommending that the Commission vote to accept the Brooks Estate Conservation Restriction/Historic Preservation Restriction and authorize Commissioner Balfour to execute the necessary documents.
The Commission V O T E D: to accept the Brooks Estate Conservation Restriction/Historic Preservation Restriction.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the necessary documents.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Mr. Gray, January 23, recommending that the Commission vote to declare surplus and transfer in accordance with the provisions of Chapter 194 of the Acts of 1997, that certain parcel of land located in the Town of Clinton and containing approximately 48.2992 acres, to the Town of Clinton solely for recreational, open space and educational purposes, subject to the terms and provisions of said Act, the EOEA Article 97 Land Disposition Policy, but also subject to certain conditions:
The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 194 of the Acts of 1997, that certain parcel of land located in the Town of Clinton and containing approximately 48.2992 acres, to the Town of

Clinton solely for recreational, open space and educational purposes, subject to the terms and provisions of said Act, the EOEA Article 97 Land Disposition Policy, but also subject to the following conditions:

1. The Town of Clinton shall relinquish all rights or interests from past permits or leases in the former swimming beach located on MDC land along the Nashua River just downstream from the Wachusett Reservoir Dam in Clinton;

2. The parcel described in the above-mentioned legislation shall revert to the Commonwealth, under care and control of the Metropolitan District Commission if said parcel is not used solely for or ceases to be used solely for the purposes described in Chapter 194, Acts of 1997, and in no event shall such parcel exceed 48.2992 acres;

3. All alteration of said parcel shall conform to stormwater and erosion control Best Management Practices developed by the MDC, Division of Watershed Management and be reviewed and approved by said Division;

4. The MDC Division of Watershed Management shall be notified prior to any alteration of said parcel and the Division shall have the authority to stop activities if they do not conform to the above Best Management Practices; and

5. The Town of Clinton shall complete the restoration of two sections of foot trails contained on land of the Commonwealth of Massachusetts under the control of the MDC, Division of Watershed Management, in the vicinity of the North Dike, to be delineated and/or determined by the Division. The Town shall notify the Division prior to commencement of work and all work shall conform to the above Best Management Practices as developed by the Division. The Division shall have the authority to stop activities if they do not conform to Division Best Management Practices, and work must be completed to the satisfaction of the Division as a condition of the above-described land disposition.

Adjourned at 10:20 a.m., to meet on Thursday, February 5, 1998, at 9:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Eight Hundred and Fortieth (3840th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 5, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on January 22, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P98-1934-C1A, dated February 5, 1998, with Tree Technology and Landscaping, for Selective Clearing and Pruning of Bellevue Hill.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mr. Faucher and Mrs. Graves-Jones, January 29, recommending approval of an extension of time, from January 31, 1998 to February 13, 1998, due to administrative purposes, on Contract No. P96-1836-M1A, with Coviello Electric an General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time, from January 31, 1998 to February 13, 1998, as recommended by Mr. Faucher and Mrs. Graves-Jones in their report of January 29, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Mr. Faucher and Ms. Pomorska, January 29, recommending approval of an extension of time, from January 31, 1998 to February 13, 1998, due to administrative purposes, on Contract No. P96-1837-M1A, with Coviello Electric an General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time, from January 31, 1998 to February 13, 1998, as recommended by Mr. Faucher and Ms. Pomorska in their report of January 29, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Soroka, January 29, recommending approval of an extension of time, from January 31, 1998 to February 13, 1998, due to administrative purposes, on Contract No. P96-1838-M1A, with Coviello Electric an General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.
(At no increase in Contract cost).

The Commission V O T E D: to approve an extension of time, from January 31, 1998 to February 13, 1998, as recommended by Messrs. Faucher and Soroka in their report of January 29, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, January 28, on proposals for the tapping of sugar maple trees located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the only bid received, that of Stattuck Sugar House, of $226.50; allowing 906 taps of 453 sugar maple trees on Sugar Maple Lot #59 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $310.00; allowing 471 taps on 277 sugar maple trees on Sugar Maple Lot #81 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hamilton Orchards, of $112.00; allowing 323 taps on 205 sugar maple trees on Sugar Maple Lot #82 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $182.00; allowing 557 taps on 287 sugar maple trees on Sugar Maple Lot #83 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hamilton Orchards, of $140.00; allowing 404 taps of 171 sugar maple trees on Sugar Maple Lot #84 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $208.00; allowing 491 taps on 202 sugar maple trees on Sugar Maple Lot #85 - Quabbin Reservoir Watershed.

2. Report of Mr. McGinn and Miss Austin, January 6, requesting approval of Interdepartmental Service Agreement with the University of Massachusetts at Amherst, Department of Civil and Environmental Engineering, for Project Continuation: Water Quality in MDC Reservoirs: Organic Matter, Algae, and Modeling, Contract No. WM98-028-S1A.
Time for Performance - February 1, 1998 through January 31, 2000, (24 months).
Compensation - $207,833.00 - FY98 is $25,927.00.
Account No. 2420-1400-HH.
Funding for the second and third years of the project contingent upon appropriations being made through the annual budgetary process.
The Commission V O T E D: Approved.

3. Report of Mr. McGinn and Vignaly, January 23, requesting approval of an extension of time from March 31, 1998 to June 15, 1998, on

Contract No. WM95-052-S1A, with Camp Dresser & McKee, for Wachusett Stormwater Management Plan, due to the need for additional field work in the spring and public meetings in late spring.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

1. Report of Messrs. McGinn and Kane, February 3, requesting approval of an extension of time, for administrative purposes, from December 31, 1997 to February 28, 1998, on Contract No. WM94-008-C1A, with S.J.V. Electric, Inc., to Furnish and Install Electrical Generation and Associated Work at Quabbin Administration Complex, Belchertown.
Messrs. McGinn and Kane further request that the VOTE include the following - "That the Commission reserves the right to assess Liquidated Damages, pursuant to Article XX and XXI of the Contract from December 31, 1997, the Contract completion date, at the rate of $500.00 per day".
The Commission V O T E D: to approve an extension of time, for administrative purposes, from December 31, 1997 to February 28, 1998, on Contract No. WM94-008-C1A, as requested by Messrs. McGinn and Kane in their report of February 3, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that the Commission reserves the right to assess Liquidated Damages, pursuant to Article XX and XXI of the Contract from December 31, 1997, the Contract completion date, at the rate of $500.00 per day.

Action was taken upon the following matters relating to the Office of Planning:

2. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over until the Commission Meeting of March 19, 1998.

2. Report of Mrs. O'Brien, January 20, requesting approval of Amendment No. 2 to Contract No. PL82-022-D1A, with Carr, Lynch and Sandell, for Revere Landing Park - which calls for additional services as follows -

1.	Construction Services	- $ 50,392.00
2.	Optional Services	- $127,093.00
3.	Completion of Artwork for Bronze panels including oversight of fabrication and making molds, including fabrication and clay.	- $ 26,600.00
	Total =	$204,085.00

Mrs. O'Brien further requests an extension of time from June 30, 1998 to December 31, 1999, to complete construction and to

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provide for the planting warranty period.
Mrs. O'Brien further requests authorization for Commissioner Balfour to execute Amendment No. 2, on behalf of the Commission.
Account No. 2449-6033.
The Commission V O T E D: to approve Amendment No. 2 to Contract No. PL82-022-D1A, with Carr, Lynch and Sandell, for Revere Landing Park - which calls for additional services.
The Commission further V O T E D: to approve an extension of time from June 30, 1998 to December 31, 1999, to complete construction and to provide for the planting warranty period.
The Commission further V O T E D: authorization for Commissioner Balfour to execute Amendment No. 2, on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 14.551 acres of land owned by Edward F. Butler and Leslie C. Butler, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $115,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 14.551 acres of land owned by Edward F. Butler and Leslie C. Butler, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 5, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated in the northerly part of the said Town of Princeton, lying on the northerly side of the road leading from Mountain Road to the road from Everettville to Princeton Center (commonly known as Mirick Road), said road is sometimes known as Cross Road, and also known as Gregory Road, more particularly bounded and described as follows:

Beginning at a drill hole in a stone wall in the northeasterly line of Cross or Gregory Road, at the southeasterly corner of land, now or formerly, of John C. & Deanna Gwinn, said drill hole marking the southwesterly corner of the parcel herein being described, shown as "Lot 2" upon a survey plan referenced at the conclusion of this description;

Thence N. 21° 13′ 01" E., 134.04 feet, by the wall to a point therein;

Thence N. 20° 14′ 00" E., 233.92 feet, by the wall to a point therein;

Thence N. 19° 43′ 16" E., 138.32 feet, by the wall to a wall corner;

Thence N. 41° 16′ 02" W., 214.33 feet, by the wall and crossing a gap therein to a drill hole found at a point in the continuation of the wall;

Thence N. 47° 04′ 56" W., 337.42 feet, crossing another gap and running by the continuation of the wall to a drill hole found in a wall corner, at land, now or formerly, of William D. Leger & Beverly A. Lavoie, the last five courses being by land, now or formerly, of the aforesaid J.C. & D. Gwinn;

Thence N. 44° 09′ 53" E., 429.61 feet, by the wall and land, now or formerly, of W.D. Leger & B.A. Lavoie, to a drill hole found in a wall corner, at land, now or formerly, of Edwin B. Carlson & Kathleen A. Sweeney;

Thence S. 44° 30′ 45" E., 456.95 feet, by the wall to a point therein;

Thence S. 43° 03′ 59" E., 216.19 feet, by the wall to a point therein;

Thence S. 51° 22′ 43" E., 39.04 feet, by the wall to a drill hole found in a wall corner, at land, now or formerly, of David S. Milton, the last three courses being by land, now or formerly, of E.B. Carlson & K.A. Sweeney;

Thence S. 43° 48′ 02" E., 177.92 feet, by the wall to a drill hole set at a point therein;

Thence S. 44° 45′ 22" E., 245.61 feet, by the wall to a drill hole set in a corner of walls at the northernmost corner of "North Cemetery", land of the Town of Princeton, the last two courses being by land, now or formerly, of D.S. Milton;

Thence S. 43° 29′ 51" W., 117.89 feet, by the wall to a drill hole set in a wall corner;

Thence S. 47° 15′ 15" E., 60.76 feet, by the wall to a drill hole set at a point therein;

Thence S. 41° 00′ 51" E., 81.40 feet, by the wall to a drill hole set in a wall corner, at land, now or formerly, of Richard W. & Margaret W. Mirick, the last three courses being by "North Cemetery", land of the Town of Princeton;

Thence S. 43° 20′ 21" W., 194.51 feet, by the wall and land, now or formerly, of R.W. & M.W. Mirick, to a gun barrel found in a wall corner at land, now or formerly, of Stephen G. & Caron A. Mirick;

Thence S. 43° 16′ 52" W., 12.43 feet, by the wall and land, now or formerly, of S.G. & C.A. Mirick, to a drill hole set in a wall corner, at the northeasterly corner of other land, now or formerly, of Edward F. & Leslie C. Butler, shown upon the survey plan cited at the conclusion of this description as "Lot 1", land specifically excluded from this order, and reserved to the aforesaid owners;

Thence N. 48° 25′ 18" W., 219.07 feet, by the wall to a drill hole set in a wall corner;

Thence On the same bearing, 151.00 feet, to a point at the northernmost corner of "Lot 1";

Thence S. 31° 11′ 48" W., 344.28 feet, to a drill hole in a wall corner;

Thence On the same bearing, 42.69 feet, by the wall to a drill hole set at a point therein;

Thence S. 37° 55′ 12" W., 101.38 feet, by the wall to a drill hole set in a wall corner in the northeasterly line of Cross or Gregory Road, the last five courses being by "Lot 1";

Thence N. 54° 50′ 53" W., 101.81 feet, by the wall to a drill hole set at a point therein;

Thence N. 55° 27′ 56" W., 94.14 feet, by the wall to another drill hole set at a point therein;

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Thence N. 62° 18′ 02" W., 63.23 feet, by and through the wall and crossing a gap therein to the first mentioned drill hole found in the wall in the northeasterly line of Cross or Gregory Road, being the point and place of beginning, the last three courses being by the northeasterly line of Cross or Gregory Road.

Containing 14.551 acres as shown as "Lot 2", together with "Lot 1", land specifically excluded from this order, upon a plan entitled "Plan Of Land In Princeton, Mass. Prepared For Edward F. Butler", dated December 1, 1997, and prepared by Andrysick Land Surveying, Inc., Douglas W. Andrysick, P.L.S., which plan shall be recorded with Worcester District Registry of Deeds, at a later date and made a part of this taking.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Cross or Gregory Road, which may be held by the supposed owners as a result of their ownership of the above described premises, and being northwesterly and larger portion of the same premises described in a deed from Leslie C. Butler, formerly Leslie C. Coonley to Edward F. Butler and Leslie C. Butler, dated 11th April 1970 and recorded with Worcester District Registry of Deeds at Book 5023, Page 492.

The above described property is represented upon Princeton Assessors Tax Map 4 as most of Parcel 50.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Edward F. Butler and Leslie C. Butler	$ 115,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $115,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 9.6 acres of land owned by David S. Milton, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $80,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 9.6 acres of land owned by David S. Milton, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 5, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated on the northerly side of Mirick Road, in the northerly part of the said Town of Princeton, more particularly bounded and described as follows:

Beginning at the southwesterly corner of the parcel herein being described, at a corner of stone walls, in the northerly line of Mirick Road, at the southeasterly corner of the "North Cemetery";

Thence N. 30° W., 754 feet, more or less, by a stone wall, partially by said "North Cemetery", and partially, by land, now or formerly, of Edward F. & Leslie E. T. Butler, to a corner of stone walls, at the southeasterly corner of land, formerly of H. Mitchell Gould, now or formerly, of Robert L. Walton;

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Thence N. 48° E., 149 feet, more or less, by the stone wall, to a point;

Thence N. 59° E., 220 feet, more or less, by the stone wall, to a point;

Thence N. 20° E., 165 feet, more or less, by the stone wall, to a point;

Thence N. 89° E., 255 feet, more or less, by the stone wall, to a point at a corner of stone walls, and land, now or formerly, of Laura L. Walton, the preceding four courses being by land, formerly of H. M. Gould, now or formerly, of Robert L. Walton;

Thence S. 01° 30' E., 540 feet, by the stone wall, partially by land, formerly of H. M. Gould, now or formerly, of Laura L. Walton, and partially by land, formerly of George F. Mason, now or formerly, of Richard V., Jr. & Cynthia M. Granger, to a corner of stone walls, at a corner of other land, formerly of G.F. Mason, also, now or formerly, of Richard V., Jr. & Cynthia M. Granger, shown as Lot "2" upon the plan cited at the conclusion of this description;

Thence S. 01° 30' E., 383 feet, more or less, by the stone wall and Lot "2", to a point in the northerly line of Mirick Road;

Thence S. 75° 30' W., 144 feet, more or less, by the stone wall and the northerly line of Mirick road, to a point;

Thence S. 62° W., 125 feet, more or less, by the stone wall and the northerly line of Mirick Road, to a point at a corner of stone walls, at "North Cemetery", being the point and place of beginning.

Containing 9.6 acres more or less, as shown as Lot "1" upon a plan entitled "Compiled Plan of Lots prepared for George F. Mason in Princeton, MA", dated July 14, 1982, prepared by Michael S. Szoc, R.L.S., which plan is recorded with Worcester District Registry of Deeds as Plan 60 in Plan Book 498.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Mirick Road which may be held by the supposed owner, as a result of his ownership of the above described property, and being the same premises described in a deed from George F. Mason to David S. Milton, dated 26th July 1982 and recorded with Worcester District Registry of Deeds at Book 7520, Page 349.

The above described property is represented upon Princeton Assessors Tax Map 4 as Parcel 38A.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
David S. Milton	$ 80,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $80,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 4.4 acres of land owned by Graham Homewood, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $15,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 4.4 acres of land owned by Graham Homewood, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 5, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southwesterly side of Redemption Rock Trail-Route 140, a 1925 Worcester County Highway layout, between said highway and "Keyes Brook", more particularly bounded and described as follows:

Beginning at an MDC concrete bound set at the northernmost corner of the parcel being described herein at a point in the southwesterly line of the 1925 layout of Redemption Rock Road-Route 140, at land, now or formerly, of the Town of Princeton, said point being located S. 38° 01′ 30" E., 78.21 feet from a Worcester County Highway bound found near said layout line;

Thence S. 32° 54′ 13" W., 133.96 feet, to another MDC concrete bound set at a corner;

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Thence N. 40° 42′ 05" W., 87.00 feet, to a rock marked with an "x" found;

Thence N. 55° 41′ 47" W., 54.75 feet, to another MDC bound set;

Thence N. 62° 03′ 17" W., 64.50 feet, to a large yellow birch at a corner;

Thence S. 33° 33′ 25" W., 47 feet, more or less, to a point in the centerline of "Keyes Brook" so-called, and land, now or formerly, of John H. & Jacqueline Schladt, the last five courses being by land, now or formerly, of the Town of Princeton;

Thence Southerly, by the centerline of "Keyes Brook, and land, now or formerly, of the above said Schladt, 833 feet, more or less, to a point at land, now or formerly, of Donald E. & Helen J. Siplas;

Thence N. 56° 46′ 11" E., 27.25 feet, more or less, to an iron pipe found;

Thence On the same bearing, 304.73 feet, to another iron pipe found at the southwesterly corner of "Lot 1", land to be retained by Graham Homewood, shown upon an engineered survey plan referenced at the conclusion of this description, the last two courses being by land, now or formerly, of the abovesaid Siplas;

Thence N. 02° 40′ 44" W., 401.29 feet, to another MDC concrete bound set;

Thence N. 51° 58′ 30" E., 181.63 feet, to another MDC concrete bound set at a point in the southwesterly layout line of Redemption Rock Trail-Route 140, the last two Courses being by "Lot 1";

Thence N. 38° 01′ 30" W., 179.00 feet, by the highway layout, to the first mentioned MDC concrete bound, being the point and place of beginning.

Containing 4.4 acres, more or less, as shown as Parcel "A" upon a survey plan entitled "Commonwealth Of Massachusetts, Metropolitan District Commission, Division Of Watershed Management, Princeton (Worcester County) Mass., Land Taking Plan For Watershed Protection", dated March 5, 1997 and prepared by Gary D. Lanpher, Jr., P.L.S., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Redemption Rock Trail-Route 140 and/or "Keyes Brook" which may be held by the supposed owner, as a result of his ownership of the above described property, and being, with the exception of "Lot 1" referenced above, the same premises described in a deed from Donna J. Welch to Graham Homewood, dated July 30, 1987 and recorded with Worcester District Registry of Deeds at Book 10675, Page 290.

The above described property is represented upon Princeton Assessors Tax Map 9B as most of Parcel 15.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Graham Homewood	$15,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $15,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 33.69 acres of land owned by Kenneth I. H. Williams and June G. Williams, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $325,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 5, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northeasterly side of the 1963 Worcester County layout of Beaman Road, at its intersection with the course of "Rocky Brook" so-called, more particularly bounded and described as follows:

Beginning at an iron pipe in the northeasterly line of the 1963 Worcester County layout of Beaman Road, said iron pipe being located N. 68° 33′ 25" W., a distance of 354.71 feet from a Worcester County Highway bound found opposite Station 65+08.79 of said layout, and being also the southeasterly cornerof land, now or formerly, of Keith W. & Rosemarie I. Dinant, as described in a deed recorded with Worcester District Registry of Deeds at Book7876, Page 16 and as shown upon a plan recorded as Plan 1 in Plan Book 510;

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Thence N. 08° 27′ 54" E., 152.74 feet, mostly by a stone wall, to a drill hole found at a bend therein;

Thence N. 34° 24′ 00" W., 468.49 feet, by the stone wall, to a drill hole found at a bend therein;

Thence N. 65° 29′ 13" W., 146.49 feet, by the stone wall, to a drill hole found at a corner thereof, at land, now or formerly, of Marion Hulick, described as Parcel #2 in a deed recorded with said Deeds at Book 4471, Page 59, the previous three courses being by land, now or formerly, of the aforesaid Dinant;

Thence N. 07° 43′ 19" E., 151.14 feet, by the stone wall and land, now or formerly, of Marion Hulick, to a point in the wall;

Thence N. 20° 28′ 19" E., 297.00 feet, partly by the above cited Parcel #2, now or formerly, of Marion Hulick, and partly by other land, now or formerly, of Marion Hulick, described in a deed recorded with said Deeds at Book 9504, Page 171, and by and through the stone wall to a rough stone bound with drill hole set at a corner of land, now or formerly, of Marion Hulick, described as Parcel #1 in the same deed recorded with said Deeds at Book 4471, Page 59;

Thence S. 43° 01′ 41" E., 616.00 feet, by Parcel #1 and partly by a stone wall segment, passing through a drill hole set therein, to a drill hole in a corner of a stone wall;

Thence N. 27° 43′ 19" E., 567.83 feet, by Parcel #1 and the stone wall, to a drill hole in a corner of stone walls at land, now or formerly, of Henry F. & Marion J. Hulick described in a deed recorded with said Deeds at Book 3664, Page 557 and shown upon a plan recorded as Plan 43 in Plan Book 204;

Thence S. 71° 31′ 41" E., 254.00 feet, by the stone wall, to a point at an intersection of stone walls;

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Thence S. 71 16′ 41" E., 380.10 feet, by the stone wall, to a point at another intersection of stone walls;

Thence S. 72° 21′ 41" E., 90.50 feet, by the stone wall, to a drill hole set in a bend thereof;

Thence S. 33° 31′ 41" E., 136.56 feet, by the stone wall, to a point at the end thereof;

Thence S. 33° 01′ 41" E., 314.27 feet, mostly by a stone wall, to a point therein near the northwesterly bank of "Rocky Brook" so-called;

Thence S. 39° 04′ 30" E., 220.74 feet, partly by a stone wall and crossing "Rocky Brook", to an iron pipe found at a corner of other land, now or formerly, of Henry F. & Marion Hulick, described in a deed recorded with said Deeds at Book 4692, Page 101, the previous six courses being by land, now or formerly, of Henry F. & Marion Hulick as described at Book 3664, Page 557 and shown upon Plan 43 in Plan Book 204;

Thence S. 23° 28′ 19" W., 80.00 feet, by the land, now or formerly, of Henry F. & Marion Hulick as described at Book 4692, Page 101, to a drill hole set at remaining land, now or formerly, of Kenneth I. H. Williams and June G. Williams, specifically excluded from this taking;

Thence S. 67° 36′ 10" W., 442.68 feet, to an MDC concrete bound set;

Thence N. 16° 39′ 05" E., about 74 feet, more or less, to a point in the centerline of "Rocky Brook";

Thence Southwesterly and downstream by the centerline of "Rocky Brook", about 726 feet, more or less, to a point;

Thence S. 10° 29′ 33" E., about 24 feet, more or less, to an MDC conctert bound set, said bound being S. 08° 22′ 41" W., 640.94 feet from the last mentioned MDC concrete bound;

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Thence S. 10° 29′ 33" E., 178.91 feet, to an MDC concrete bound set in the northeasterly line of Beaman Road, the previous five courses being lines of division of said Williams land;

Thence N. 68° 33′ 25" W., 139.24 feet, by the northeasterly line of Beaman Road, to a Worcester County Highway bound found opposite Station 65+08.79 of said layout;

Thence N. 68° 33′ 25" W., 354.71 feet, by the northeasterly line of Beaman Road, to the iron pipe first mentioned being the point and place of beginning.

Containing 29.65 acres, more or less, as shown as "LOT 2" upon a plan entitled "PLAN OF LAND IN STERLING PREPARED FOR THE COMMONWEALTH OF MASSACHUSETTS METROPOLITAN DISTRICT COMMISSION", dated 22 January 1997, and prepared by Berry Engineering, Inc., which plan shall be recorded with Worcester District Regisrty of Deeds, at a later date, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Beaman Road and/or Rocky Brook which may be held by the supposed owners, as a result of their ownership of the above described property, and being most of the northerly portion, northeasterly of Beaman Road, of the same premises described in a deed from Luella B. Woodcock to Kenneth I. H. Williams and June G. Williams, dated 2 March 1965 and recorded with Worcester District Registry of Deeds at Book 4546, Page 128.

The above described property is represented upon Sterling Assessors Tax Map 44 as most of Parcel 23.

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AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

AND IT IS FURTHER ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northeasterly side of the 1963 Worcester County layout of Beaman Street, more particularly bounded and described as follows:

Beginning at the southeasterly corner of the parcel herein being described at an MDC concrete bound set in the northeasterly line of the 1963 Worcester County layout of Beaman Road, said bound being located at the southwesterly coirner of land, now or formerly, of Henry F. & Marion Hulick, described in a deed recorded with Worcester District Registry of Deeds at Book 4692, Page 101;

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Thence N. 68° 33′ 25" W., 391.53 feet, by the northeasterly line of Beaman Street, to a Worcester County Highway bound found opposite Station 60+00.06 of said layout;

Thence N. 68° 33′ 25" W., 51.16 feet, by the northeasterly line of Beaman Road, to a drill hole in a stone wall, at remaining land, now or formerly, of Kenneth I. H. Williams and June G. Williams;

Thence Northerly, by the stone wall along the arc of a curve to the right having a radius of 27.96 feet for an arc distance of 24.32 feet, said arc being subtended by a central angle of 49° 50′ 03", to a point at the westerly end of the stone wall;

Thence S. 86° 04′ 47" E., 15.14 feet, by the stone wall, to a point at a bend therein;

Thence S. 62° 11′ 48" E., 182.55 feet, by the stone wall, to a drill hole set therein;

Thence N. 16° 39′ 05" E., 437.14 feet, to an MDC concrete bound set at a corner of land, intended to be conveyed to the Commonwealth of Massachusetts, Metropolitan District Commission, the previous four courses being by remaining land, now or formerly, of the aforesaid Williams;

Thence N. 67° 36′ 10" E., 442.68 feet, by land to be conveyed to the Commonwealth of Massachusetts, MDC, to a drill hole set in the line of the aforementioned land, now or formerly, of Hulick;

Thence S. 23° 28′ 19" W., 720.09 feet, by land, now or formerly, of Hulick, to a point at a corner of stone walls;

Thence S. 37° 43′ 19" W., 31.72 feet, by land, now or formerly, of Hulick, to the MDC concrete bound first mentioned, being the point and place of beginning.

Containing 4.037 acres, more or less as shown upon a plan entitled "PLAN OF LAND IN STERLING PREPARED FOR THE COMMONWEALTH OF MASSACHUSETTS METROPOLITAN DISTRICT COMMISSION", dated 22 January 1997, and prepared by Berry Engineering, Inc., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

The aforementioned parcel is supposed to be owned by the following owners:

OWNERS	RESTRICTION AREA TAKEN
Kenneth I. H. Williams and June G. Williams	4.037 acres ±

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the same premises described in a deed from Luella B. Woodcock to Kenneth I. H. Williams and June G. Williams, dated 2 March 1965 and recorded with the Worcester District Registry of Deeds at Book 4546, Page 128.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, (except as necessary for that portion of the premises designated upon the plan as the unrestricted area).

3. No septic systems or leach fields shall be permitted.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

6. No tillage.

7. No grazing or sheltering of livestock or animals shall be permitted.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

9. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

10. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

11. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Kenneth I. H. Williams and June G. Williams	$ 325,000.00

The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 33.69 acres of land owned by Kenneth I. H. Williams and June G. Williams, located in the Town of Sterling, Massachusetts.

The Commission further V O T E D: to approve an award of damages in the amount of $325,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 14 acres of land owned by Sterling Heights Builders, Inc., located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $20,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 14 acres of land owned by Sterling Heights Builders, Inc., located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 5, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the southeasterly side of Bean Road and on the northerly side of Mortimer Road, more particularly bounded and described as follows:

Beginning at a point in the southeasterly line of Bean Road, at the point of intersection of Lot 14, as shown upon a plan referenced at the conclusion of this description, land, now or formerly, of Bob Rooney Associates, Inc., and land, now or formerly, of Gerald J. Ricci & Laura T. Johnson;

Thence S. 62° 01′ 00" E., 125.00 feet, by the common line between the above referenced lots, to a point;

Thence N. 27° 59′ 00" E., 375.00 feet, by the southeasterly lines of lands, now or formerly, of Bob Rooney Associates, Inc., of Roland A. & Laurie A. Behrman, of Samuel P. & Gloria M. Sovchuk, and

of Pauline Schoeper, to a concrete bound found, as shown on the referenced plan;

Thence On the same bearing, 115.39 feet, by land, now or formerly, of Pauline Schoeper, to a point;

Thence N. 23° 06′ 10" E., 270.26 feet, by lands, now or formerly, of Pauline Schoeper, of John T. Molloy et ux, and of James E. & Dorothy E. Cutting, to a point, at the northwesterly corner of the parcel herein being described, and land, now or formerly, of Richard L. & Carol A. Foster;

Thence S. 70° 40′ 40" E., 524.23 feet, by land, now or formerly, of R.L. & C.A. Foster, to a point at land, now or formerly, of Louis R. & Suzanne M. Nichols;

Thence N. 68° 44′ 40" E., 31.97 feet, by land, now or formerly, of L.R. & S. M. Nichols, to a point at the northeasterly corner of the parcel herein being described, and land, now or formerly, of Robert J. Jr. & Marion J. Mason;

Thence S. 08° 02′ 06" W., 967.32 feet, by land, now or formerly, of R.J.,Jr. & M.J. Mason, to an iron pin found at a point in the northerly line of Mortimer Road, said pin marking the southeasterly corner of land, now or formerly, of Paul M. & Betty A. Taylor;

Thence N. 76° 50′ 00" W., 976.36 feet, by the northerly line of Mortimer Road, to a point of curvature;

Thence Northwesterly along the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 36.35 feet, to a point in the southeasterly line of Bean Road;

Thence N. 27° 18′ 10" E., 152.06 feet, by the southeasterly line of Bean Road, to a point;

Thence N. 27° 59′ 00" E., 96.81 feet, by the southeasterly line of Bean Road, to the point and place of beginning.

Specifically excepted and excluded from the above described property are the following eight lots, conveyed by Sterling Heights Builders, Inc., prior to this taking:

A parcel of 20,192 square feet, located at 9 Mortimer Road, now or formerly, of Paul M. & Betty A. Taylor, conveyed to them in a deed dated 12/10/76, recorded with Worcester District Registry of Deeds at Book 6086, Page 267, and shown on Sterling Assessors Map 23-U as Lot 1.

A parcel of 20,000 square feet, located at 11 Mortimer Road, now or formerly, of Kevin P. & Peggy E. Lecuyer, conveyed to them in a deed dated 12/27/76, recorded with Said Deeds at Book 6098, Page 174, and shown on Sterling Assessors Map 23-U as Lot 2.

A parcel of 20,000 square feet, located at 13 Mortimer Road, now or formerly, of Gerald Vescera & Kathleen A. Symonaick, conveyed to them in a deed dated 8/07/87, recorded with Said Deeds at Book 10699, Page 2, and shown on Sterling Assessors Map 23-U as Lot 3.

A parcel of 20,000 square feet, located at 15 Mortimer Road, now or formerly, of David P.,Jr. & Gail A. Lawrence, conveyed to them in a deed dated 11/03/76, recorded with Said Deeds at Book 6061, Page 1, and shown on Sterling Assessors Map 23-U as Lot 4.

A parcel of 24,199 square feet, located at 17 Mortimer Road, now or formerly, of Pamela K. Cleveland, conveyed to her in a deed dated 11/23/81, recorded with Said Deeds at Book 7367, Page 271, and shown on Sterling Assessors Map 23-U as Lot 5.

A parcel of 31,606 square feet, located at 19 Mortimer Road, now or formerly, of David J. & Julia A. Coppenrath, conveyed to them in a deed dated 12/23/83, recorded with Said Deeds at Book 8034, Page 174, and shown on Sterling Assessors Map 23-U as Lot 6.

A parcel of 24,889 square feet, located at 52 Bean Road, now or formerly, of John F., Jr. & Lynn F. Buckley, conveyed to them in a deed dated 5/02/89, recorded with Said Deeds at Book 12071,Page 204, and shown on Sterling Assessors Map 57-Y as Lot 9.

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A parcel of 20,121 square feet, located at 50 Bean Road, now or formerly, of Gerald J. Ricci & Laura T. Johnson, conveyed to them in a deed dated 7/01/87, recorded with Said Deeds at Book 10617, Page 71, and shown on Sterling Assessors Map 57-Y as Lot 8.

The above described parcel, with the excepted and excluded lots later sold out, is shown upon a plan recorded with Worcester District Registry of Deeds, as Plan 49 in Plan Book 415, then containing 16.568 acres. The parcel herein intended to be taken is all of the remaining lands, now or formerly, of Sterling Heights Builders, Inc., at this locus, not conveyed out prior to the date of this instrument, excluding the eight excepted lots listed above, containing 12.413 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Mortimer Road, which may be held by the supposed owners as a result of its ownership of the above described premises, and being most of the same premises described in a deed from George V. Albert and Patricia E. Albert to Sterling Heights Builders, Inc., dated 27th August 1975 and recorded with Worcester District Registry of Deeds at Book 5787, Page 273.

The above described property is represented upon Sterling Assessors Tax Map 23 as Parcel 2.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Sterling Heights Builders, Inc.	$ 20,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $20,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 9:40 a.m., to meet on Thursday, February 12, 1998, at 9:00 a.m.

S e c r e t a r y

Record of the Three Thousand Eight Hundred and Forty First (3841st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 12, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on January 29, 1998 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P98-1926-M1A, dated February 12, 1998, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems, Middlesex Fells and Revere Beach Districts.

2. Contract No. P98-1925-M1A, dated February 12, 1998, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems, Old Colony and Blue Hills Districts.

3. Contract No. P98-1927-M1A, dated February 12, 1998, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems, Charles River Basin Districts.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher, Brooks and Abounaja, February 4, recommending approval of revisions in quantities on the following items, on Contract No. P95-1789-C2A, with Triumvirate Environmental, Inc. for Contaminated Site Cleanup at the Indian Line Farm, Canton -

Item No. 002-002	$ 4,000.00
Furnish and Install Granular Backfill Material	
Item No. 002-004	$ 3,600.00
Furnish and Install Topsoil and Seeding	
Item No. 003-003	$ 12,200.00
Remove and Store Contaminated Soil	
Item No. 003-004	$130,200.00
Transport and Dispose of Contaminated Soil at an out of State TSCA Chemical Waste Landfill.	
Total =	$150,000.00.

Account No. 2490-0017.
The Commission V O T E D: Approved.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

5. Report of Messrs. Faucher, Brooks and Kane, February 6, recommending approval of an extension of time from January 20, 1998 to May 30, 1998, due to delay in installing gas line by the gas company, on Contract No. P97-1913-C1A, with Langton and Douglas Construction, Inc., for Historic Stables Renovation, Charles River Basin, O'Brien Highway and Land Boulevard, Cambridge.

(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from January 20, 1998 to May 30, 1998, as recommended by Messrs. Faucher, Brooks and Kane, in their report of February 6, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Griffin, February 6, recommending authorization for R.H.D. Construction Company, general contractor, to engage the services of Bosport Docking, LLC, as sub-contractor, Alt.#2 (Sec.031) - Structural Steel - Alt.#2 (Sec.032A) - Misc. Metals and Alt.#2 (Sec.007A) - Timber Decking, at a cost of $51,000.00, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown.
(At no additional Contract cost).
The Commission V O T E D: authorization for R.H.D. Construction Company, general contractor, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to engage the services of Bosport Docking, LLC, as sub-contractor, as recommended by Messrs. Faucher and Griffin in their report of February 6, 1998.

1. Report of Mr. Faucher, February 3, requesting that the Commission vote to terminate Contract No. P97-1887-M1A, for Service & Repair All MDC Swimming Pools ("Contract"), with Allied Weatherproofing, Inc., ("Allied") for failure to comply with the express provisions of said Contract, as follows -
WHEREAS, On several occasions the Resident Engineer has requested weekly payroll and wage reports and materials receipts for work performed on MDC Contract No. P97-1887-M1A ("Contract") for work performed after July 23, 1997, and;
WHEREAS, weekly submittals of daily worksheets regarding work performed and material receipts are required pursuant to the express provisions of the Contract Under the Basis of Payment provision on page 131, and;
WHEREAS, the Acting Director of Engineering and Construction requested the same records referenced above in a letter received by John Stow, President of Allied on December 24, 1997, and;
WHEREAS, Allied has yet to supply these documents and the failure to supply such records will make it extremely difficult to determine that the work alleged to have been performed was in fact performed and performed in an appropriate manner, and as such it places an unfair administrative burden on the MDC, and;
WHEREAS, Allied was directed to prepare shop drawings and install a backflow preventer at the Magazine Beach Pool as required by Item No. 004-001 to 004-003 of the contract, and as of this date has failed to do so, and;
WHEREAS, the Engineer, pursuant to Article XX, of the contract certifies that the contract has been abandoned and/or that the rate of progress by Allied is unsatisfactory;
NOW THEREFORE, for the above stated reasons, it is requested that the Commission terminate the contract, and further vote to contact Allied's surety and demand a plan, to be completed within thirty (30) days, on how it intends to complete the work under the contract. If an adequate plan is not supplied within the

time provided, the Acting Director of Engineering and Construction is granted the authority to advertise a contract or contracts to complete the work.
The Commission V O T E D: Held Over.

1. Report of Miss Overton and Messrs. Faucher and Jackson, January 29, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P95-1783-C1A, for Rehabilitation of Constitution Beach, East Boston.
Estimated Cost - $4,500,000.00.
Time for Performance - twenty-four months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1783-C1A, for Rehabilitation of Constitution Beach, East Boston.

2. Report of Messrs. Faucher and Jackson, January 28, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1942-M1A, for Aeration and Fertilization of Trees on Memorial Drive and Soldiers Field Road.
Estimated Cost - $40,000.00.
Time for Performance - four months.
Account No. 2490-0009.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1942-M1A, for Aeration and Fertilization of Trees on Memorial Drive and Soldiers Field Road.

3. Report of Messrs. Faucher and Machado, January 22, recommending approval of revisions in quantities on the following items on Contract No. P96-1864-C1A, with D & R General Contracting, Incorporated, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan District -

Item No. 001-010	$ 1,056.00
Unclassified Excavation	
Item No. 003-010	$ 3,450.00
Gravel Borrow	
Item No. 018-010	$13,437.50
Cement Concrete Sidewalks, Medians & Islands	
Total =	$17,943.50

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 010-010 - Granite Edgestone Removed and Reset, 026-010 - Sedimentation Fence and 030-010 - Special Lighting Unit (Flashing Arrow).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Traficante, February 4, recommending the following on Contract No. P97-1884-C1A, with Costello Dismantling Co., Inc. for Demolition of Two Structures and Site Clean-Up at the Abigail Adams Park Weymouth -
(a) That work be accepted as completed as of July 8, 1997.

(b) That Estimate No. 4 (Final), in the amount of $2,472.37, be approved for payment.
(c) That reserve, in the amount of $130.23, be approved for payment
(Basis of Award - $432,885.00)
(Amount to Date - $305,277.50)
(Contract Performance Rating - 88 with 100 being excellent)
(EEO Compliance - 3.40)
The Commission V O T E D: that the work of Costello Dismantling Co., Contractor under Contract No. P97-1884-C1A, be and hereby is accepted as completed as of July 8, 1997.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $2,472.37, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $130.23, for payment.

1. Report of Messrs. Faucher and Woodyatt, February 4, recommending the following on Contract No. P97-1904-C1A, with Ledgewood Construction Co., Inc., for Reconstruction of Entrance and Parking at Victory Road Park, Dorchester -
(a) That work be accepted as completed as of November 10, 1997.
(b) That Estimate No. 2 (Final), in the amount of $44,446.26, be approved for payment.
(c) That reserve, in the amount of $3,149.61, be approved for payment.
(Basis of Award - $62,075.00)
(Amount to Date - $62,992.28)
(Contract Performance Rating - 3.67)
(EEO Compliance - 4.17)
The Commission V O T E D: that the work of Ledgewood Construction Co., Inc., Contractor under Contract No. P97-1904-C1A, be and hereby is accepted as completed as of November 10, 1998.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $44,446.26, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,149.61, for payment.

2. Report of Messrs. Faucher, Brooks and Mayhew, February 3, recommending approval of Extra Work Order No. 2 - for furnishing and installing two additional viewing decks in Newton and Waltham - at a cost of $50,400.00, on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration Phase 1B.
Account No. 2490-0017.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $50,400.00.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Mr. McGinn, January 28, submitting for execution Quabbin Park Cemetery Deed No. Q-1722, conveying N.E. 1/2 of Lot

No. 1027, to Evelyn Johnson.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1722, dated February 12, 1998, which was signed by the Commissioner and three Associate Commissioners.

1. Report of Mr. McGinn and Ms. Crocker, January 20, requesting approval of an Amendment to Contract No. WM97-091-X1A, with Worcester County Conservation District, to Provide Pure Water Stewardship Program Intern Services, to incorporate additional tasks and level of effort, an increase in Contract cost by $8,331.36 to $18,541.36.
Account No. 2420-1400.
The Commission V O T E D: Approved.

2. Report of Mr. McGinn, February 11, requesting that the Commission rescind its votes of January 29, 1998, relative to the approval and execution of the prior version of Consent Order Amendment No. 3, and approve Revised Consent Order Amendment No. 3, to the Wachusett Consent Order DEP File No. 92-5134, and further to authorize Commissioner Balfour to execute Amendment No. 3, on behalf of the Commission.
The Commission V O T E D: to rescind its votes of January 29, 1998, relative to the approval and execution of the prior version of Consent Order Amendment No. 3.
The Commission further V O T E D: to approve Revised Consent Order Amendment No. 3, to the Wachusett Consent Order DEP File No. 92-5134.
The Commission further V O T E D: to authorize Commissioner Balfour to execute Amendment No. 3, on behalf of the Commission.

3. Report of Mr. McGinn, February 11, requesting authorization for the Office of the Attorney General of the Commonwealth of Massachusetts to represent the Metropolitan District Commission in all matters pertaining to Federal Lawsuit regarding Filtration and Watershed Protection of Wachusett Reservoir Water Supply and includes the authorization to execute the Stipulation and Order on behalf of the Commission.
The Commission V O T E D: to authorize the Office of the Attorney General of the Commonwealth of Massachusetts, to represent the Metropolitan District Commission in all matters pertaining to Federal Lawsuit regarding Filtration and Watershed Protection of Wachusett Reservoir Water Supply and includes the authorization to execute the Stipulation and Order on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Planning:

4. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time

as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over until the Commission Meeting of March 19, 1998.

1. Report of Mrs. O'Brien and Mr. Driscoll, January 26, recommending the following on Contract No. PL96-040-D1A, with Aquatic Control Technology, Inc., for Charles River Lakes District Weed Harvesting Program - Summer, 1997 -
(a) That work be accepted as completed as of January 13, 1998.
(b) That Estimate No. 7 (Final), in the amount of $2,390.00, be approved for payment.
(c) That reserve, in the amount of $18,761.00, be approved for payment.
(Basis of Award - $150,000.00)
(Amount to Date - $190,000.00)
(Contract Performance Rating - 8 with 10 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Aquatic Control Technology, Inc., Contractor under Contract No. PL96-040-D1A, be and hereby is accepted as completed as of January 13, 1998.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of $2,390.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $18,761.00, for payment.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, February 6, recommending approval and requesting authorization for Commissioner Balfour to execute on behalf of the Commission three (3) Contract-Agreements for Watershed Land Acquisition Program FY'98, for Professional Real Estate Engineering Services, Open Order Contract No. RP98-0001 -

NAME	VALUE	PARCELS
Daylor Consulting Group, Inc.	$151,900.00	7
Christopher White Associates, Inc.	$ 39,500.00	5
Matlock Associates - (limited services)	$ 13,525.00	3

Account No. 2420-1402.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission three (3) Contract-Agreements for Watershed Land Acquisition Program FY'98, for Professional Real Estate Engineering Services, Open Order Contract No. RP98-0001.

3. Report of Miss Overton and Messrs. Faucher and Winter, February 3, requesting approval of the action of Mr. Winter in declaring an emergency to contain and clean-up an oil spill at the Charles River Dam on October 17, 1997, and further, to approve payment of $60,647.92, to Clean Harbors Environmental Service Inc., for containment and oil clean-up at the Charles River Dam area.
Account No. 2440-8950.
The Commission V O T E D: to approve the action of Mr. Winter in declaring an emergency to contain and clean-up an oil spill at the Charles River Dam on October 17, 1997.

The Commission further V O T E D: to approve payment of $60,647.92, to Clean Harbors Environmental Service Inc., for containment and oil clean-up at the Charles River Dam area.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, February 6, submitting for approval an additional expenditure of $200,000.00 in Open Order Contract No. RP98-0001, for Appraisals and Related Services for Watershed Land Acquisition FY98 - Worcester, Franklin and Hampshire Counties.
Total Cost - $950,000.00.
Account No. 2420-1402, under Section 2E of Chapter 88 of the Acts of 1997.
The Commission V O T E D: Approved.

Adjourned at 9:35 a.m., to meet on Thursday, February 19, 1998, at 9:00 a.m.

William F. Cusack
Secretary

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Record of the Three Thousand Eight Hundred and Forty Second (3842nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 19, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on February 5, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mr. Faucher, February 3, requesting that the Commission vote to terminate Contract No. P97-1887-M1A, for Service & Repair All MDC Swimming Pools ("Contract"), with Allied Weatherproofing, Inc., ("Allied") for failure to comply with the express provisions of said Contract, as follows -
WHEREAS, On several occasions the Resident Engineer has requested weekly payroll and wage reports and materials receipts for work performed on MDC Contract No. P97-1887-M1A ("Contract") for work performed after July 23, 1997, and;
WHEREAS, weekly submittals of daily worksheets regarding work performed and material receipts are required pursuant to the express provisions of the Contract Under the Basis of Payment provision on page 131, and;
WHEREAS, the Acting Director of Engineering and Construction requested the same records referenced above in a letter received by John Stow, President of Allied on December 24, 1997, and;
WHEREAS, Allied has yet to supply these documents and the failure to supply such records will make it extremely difficult to determine that the work alleged to have been performed was in fact performed and performed in an appropriate manner, and as such it places an unfair administrative burden on the MDC, and;
WHEREAS, Allied was directed to prepare shop drawings and install a backflow preventer at the Magazine Beach Pool as required by Item No. 004-001 to 004-003 of the contract, and as of this date has failed to do so, and;
WHEREAS, the Engineer, pursuant to Article XX, of the contract certifies that the contract has been abandoned and/or that the rate of progress by Allied is unsatisfactory;
NOW THEREFORE, for the above stated reasons, it is requested that the Commission terminate the contract, and further vote to contact Allied's surety and demand a plan, to be completed within thirty (30) days, on how it intends to complete the work under the contract. If an adequate plan is not supplied within the time provided, the Acting Director of Engineering and Construction is granted the authority to advertise a contract or contracts to complete the work.
The Commission V O T E D: to Delete from the Agenda.

2. Report of Mr. Faucher and Mrs. Graves-Jones, February 11, on bids for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, Contract No. P98-1924-M1A.

(Mr. Faucher and Mrs. Graves-Jones, recommend acceptance of the lowest bid received, that of Markings, Inc., of $287,330.00).
The Commission V O T E D: to accept the lowest bid received, that of Markings, Inc., of $287,330.00.

1. Report of Messrs. Faucher and Jackson, February 6, requesting approval of a budget of $30,000.00, for Procurement of Materials and Services for 1998 Massachusetts Horticultural Society Flower Show, Project No. P93-1678-X6A.
Account No. 2448-0052.
The Commission V O T E D: Approved.

2. Report of Miss Overton and Messrs. Faucher and Jackson, February 13, submitting for approval Project Summary, Work Schedule, Project Justification and authorization to solicit for proposals for Project No. P98-1956-D1A, for Construction Phase Services - Rehabilitation of Constitution Beach, East Boston.
Estimated Cost - not-to-exceed $49,950.00.
Construction Phase Services - twenty-four months.
Account No. 2440-8956.
The Commission V O T E D: authorization to solicit for proposals for Project No. P98-1956-D1A, for Construction Phase Services - Rehabilitation of Constitution Beach, East Boston.

3. Report of Miss Overton and Messrs. Faucher and Jackson, February 13, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Amendment No. 4, for an extension of time from February 28, 1998 through June 30, 1998, on Contract No. P95-1783-D1A, with Brown and Rowe, Inc., for Rehabilitation of Constitution Beach, East Boston.
(At no additional Contract cost).
The Commission V O T E D: to Delete from Agenda.

4. Report of Messrs. Faucher and Lenhardt, February 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1955-D1A, for Renovations to the Dilboy Recreational Complex, Somerville.
Estimated Cost - $600,000.00.
Time for Performance - thirty months for study, design and construction services.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1955-D1A, for Renovations to the Dilboy Recreational Complex, Somerville.

5. Report of Messrs. Faucher and McCalla, February 13, recommending approval of a revision in quantities on Item No. 7 - Equipment, Materials, Components and Parts - at a cost of $12,592.00, on Contract No. P96-1849-M1A, with F. M. Generator Service, Inc., for Maintenance of Emergency Generators.
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 1, 2, 3, 4, 5, 6 and 8).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and McDonald, February 18, recommending the following on MDC Contract No. P97-1887-M1A, with Allied Weatherproofing Co., Inc., for Service & Repair All MDC Swimming Pools -
WHEREAS, the Commission voted on January 22, 1998 to find Allied Weatherproofing Inc. ("Allied") in breach of MDC Contract No. P97-1887-M1A, Service & Repair All MDC Swimming Pools ("Contract"), and
WHEREAS, MDC Engineering and Construction, Legal and Contract Administration staff are satisfied that the issues that led to the January 22, 1998 vote have been adequately resolved at the present time,
NOW THEREFORE, the Commission vote to acknowledge that Allied has resolved the disputed allegations of breach of Contract and has cured the alleged breach, and that it vote not to terminate the Contract.
The Commission V O T E D: to acknowledge that Allied has resolved the disputed allegations of breach of Contract and has cured the alleged breach, and that it vote not to terminate the Contract.

Action was taken upon the following matter relating to the Division of Watershed Management:

2. Report of Messrs. McGinn and Baratta, January 20, requesting approval of Amendment to Master Grant Agreement for Police Services - Sewer Construction Project, Holden and West Boylston, as follows -
1. Increase Police Services with the Town of Holden, with a total amount not-to-exceed $1,000,000.00.
2. Increase Police Services with the Town of West Boylston, with a total amount not-to-exceed $1,000,000.00.

Messrs. McGinn and Baratta further request authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Planning:

2. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over until the Commission Meeting of March 19, 1998.

3. Report of Mrs. O'Brien and Mr. Driscoll, January 22, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. PL98-051-D1A, for Charles River Lake District Weed Harvesting Program.

Estimated Cost - Up to $150,000.00.
Time of Performance - Summer of 1998.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL98-051-D1A, for Charles River Lake District Weed Harvesting Program.

Action was taken upon the following Various Matters:

1. Report of Mr. McDonald, February 12, requesting approval of an accident recovery settlement between the MDC and Royal Insurance Company, in the amount of $10,000.00, payable directly to Oak Roofing, Inc., relating to damage to the MDC boathouse roof on Land Boulevard, Cambridge. (The roof was damaged when the Museum of Science's (MOS) plowing contractor pushed snow from the MOS garage onto the boathouse roof after the April 1, 1997 blizzard).
The Commission V O T E D: to approve the accident recovery settlement between the MDC and Royal Insurance Company, in the amount of $10,000.00, payable directly to Oak Roofing, Inc., relating to damage to the MDC boathouse roof on Land Boulevard, Cambridge, as recommended by Mr. McDonald in his report of February 12, 1998.

2. Report of Mr. Jewett, February 10, requesting re-authorization of Dorchester Shores West Link Project, Contract No. P95-1807-D2A, with HNTB Corporation, at the remaining cost of $151,205.00, plus an additional cost of $19,500.00 for added design scope, for a total of $171,155.00.
Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
New Completion Date - August 31, 1999.
Account No. 2440-8956.
The Commission V O T E D: re-authorization of Dorchester Shores West Link Project, Contract No. P95-1807-D2A, with HNTB Corporation, at the remaining cost of $151,205.00, plus an additional cost of $19,500.00 for added design scope, for a total of $171,155.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

3. Report of Miss Overton, February 17, recommending the following on Contract No. P96-1824-S1A, with Fugro East, Inc., for Development of a Resource Management Plan for the Lands Owned and Managed within the Fowl Meadow/Ponkapoag Area of Critical Environmental Concern -
   1. An extension of time from February 28, 1998 to June 15, 1998.
   2. An increase in Contract cost not-to-exceed $5,500.00.
   3. Authorization for Commissioner Balfour to execute Amendment No. 7, on behalf of the Commission.

Account No. 2410-7872.
The Commission V O T E D: to approve an extension of time from February 28, 1998 to June 15, 1998.
The Commission further V O T E D: to approve an increase in

Contract cost not-to-exceed $5,500.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute Amendment No. 7, on behalf of the Commission. Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Miss Overton, February 17, requesting that the Commission approve proposed revisions to 350 CMR 5.0 titled "Parking and Penalties Therefore" which updates the fine for restricted areas and adds a rule providing for handicap parking in designated areas. Miss Overton further requests that Commissioner Balfour be authorized to sign the Secretary of State's Regulation Filing Form on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to sign the Secretary of State's Regulation Filing Form on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, February 13, recommending that the Commission adopt an Order of Taking for acquisition of approximately 13.7 acres of land owned by Robert V. Johnson and Jean C. Johnson, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $180,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 13.7 acres of land owned by Robert V. Johnson and Jean C. Johnson, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 19, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Wachusett Street, and southwesterly of the centerline of the Quinapoxet River, more particularly bounded and described as follows:

Beginning at an iron pipe found at the southernmost point of the parcel being described herein, at a corner in the fence line, at land now of the Commonwealth of Massachusetts, Metropolitan District Commission, formerly of Norma L. Johnson, and at land, now or formerly, of Judith A. Holmes;

Thence N. 37° 00′ 58" W., by the fence line and land, now or formerly, of Holmes, 107.62 feet, to a point;

Thence N. 25° 47′ 52" W., by the fence line and partially by land, now or formerly, of Holmes, and partially by land, now or formerly, of Herbert D. & Marcia A. DesRoches, 214.37 feet to a point;

Thence N. 31° 18′ 19" W., still by the fence, 279.06 feet, to a point;

Thence N. 23° 53′ 12" W., by the fence line, 178.97 feet to a point at a corner, and land, now or formerly, of Michael E. & Susan J. DeLiddo, the last two courses being by land, now or formerly, of DesRoches;

Thence N. 47° 55′ 35" E., by the fence and land, now or formerly, of DeLiddo, 111.31 feet to the southerly corner of "Lot 1" as shown upon the plan referenced at the conclusion of this description, a parcel of land formerly of Robert & Jean Johnson, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence On the same bearing and by "Lot 1", 26.32 feet to a point at a corner;

Thence N. 64° 54′ 19" W., by "Lot 1", 191.36 feet to a point at other land, now or formerly, of Robert & Jean Johnson, shown as "Parcel A" on the plan referenced below;

Thence N. 35° 45′ 17" W., by "Parcel A", 161.11 feet to a point at a corner;

Thence N. 54° 14′ 43" W., by "Parcel A", 336.07 feet to a point on the southeasterly layout line of Wachusett Street;

Thence N. 35° 45′ 17" E., by the southeasterly line of Wachusett Street, 139 feet, more or less, to the point of intersection of the street layout line with the centerline of the Quinapoxet River;

Thence Southeasterly by the centerline of the Quinapoxet River 1080 feet, more or less, to a point at land, formerly of Norma L. Johnson, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 23° 35′ 22" W., 30 feet, more or less, to a granite bound with drill hole found;

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Thence On the same bearing, by the fence line and land of the Commonwealth, 1098.61 feet to the first mentioned iron pipe being the point and place of beginning.

Containing 13.7 acres, more or less, shown as Lot 3-A upon a plan entitled "Plan Of Land In Holden, Mass. Prepared For Robert & Jean Johnson", dated April 17, 1996, prepared by Andrysick Land Surveying, Inc. which plan shall be recorded with Worcester District Registry of Deeds, and be made a part of this order, at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Wachusett Street and/or the Quinapoxet River which may be held by the supposed owners as a result of their ownership of the above described property, and being the largest portion of the same premises described in two deeds from Ralph L. Johnson et als, and From Edwin H. Johnson, Jr. et als, as heirs of Elvira M. Johnson (Worcester County Probate Court No. 243705) to Robert V. Johnson and Jean C. Johnson, dated JULY 1, 1976 and recorded with Worcester District Registry of Deeds at Book 6004, Pages 369 and 371.

The above described property is represented upon Holden Assessors Tax Map 77 as most of Parcel 14.1.

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AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Robert V. Johnson and Jean C. Johnson	$ 180,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $180,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, February 13, recommending that the Commission adopt an Order of Taking for acquisition of approximately 42.54 acres of land owned by William Spacciapoli and Peter Spacciapoli, located in the Town of Leominster, Massachusetts, and to approve an award of damages in the amount of $220,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 42.54 acres of land owned by William Spacciapoli and Peter Spacciapoli, located in the Town of Leominster, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 19, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Leominster in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Wachusett Street and the easterly side of Elm Street, at their intersection, more particularly bounded and described as follows:

Beginning at an iron pipe found at point in the southeasterly line of Wachusett Street, at the northernmost corner of the parcel herein being described, at land, now or formerly, of Raymond F. & Valerie D. Regan;

Thence S. 06° 42′ 25" W., 537.60 feet, to a point at a corner;

Thence S. 88° 47′ 35" E., 15.51 feet, to a point at another corner;

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Thence S. 14° 23′ 00" W., 1219.00 feet, to a point at a corner;

Thence S. 78° 00′ 00" W., 100.00 feet, to a point at land, now or formerly, of Louis F. & Suzanne M. DiGiovanni, the last four courses being by land, now or formerly, of R.F. & V.D. Regan;

Thence S. 15° 59′ 02" W., 300.00 feet, by land, now or formerly, of L.F. & S.M. DiGiovanni, to a point in the northwesterly line of land, now or formerly, of the City of Leominster;

Thence S. 78° 00′ 00" W., about 845 feet, more or less, by the northwesterly line of land, now or formerly, of the City of Leominster, to a point at the southernmost corner of the parcel herein being described, and at a point in the northeasterly line of another parcel of land, now or formerly, of the City of Leominster;

Thence N. 34° 00′ 00" W., about 1220 feet, more or less, partially by the northeasterly line of land, now or formerly, of the City of Leominster, and partially by land, now or formerly, of Settimio A. Pellecchia et ux, entering and running by a stone wall, to a point in a corner of walls in the easterly line of Elm Street;

Thence Northerly, about 127 feet, more or less, by the wall and the easterly line of Elm Street, to a point in the wall at the intersection of the easterly line of Elm Street with the southeasterly line of Wachusett Street;

Thence N. 55° 23′ 00" E., about 595 feet, more or less, by the southeasterly line of Wachusett Street, to an iron pipe at the southwesterly corner of land, now or formerly, of Robert D. Venti et ux;

Thence N. 30° 85′ 00" W., 67.55 feet, to another iron pipe at an angle;

Thence N. 82° 30′ 00" W., 190.92 feet, to a point at an angle, and at the southwesterly corner of land, now or formerly, of Ralph E. Person, Jr. et ux,

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the last two courses being by land, now or formerly, of Robert D. Venti et ux;

Thence N. 66° 39′ 00" W., 134.24 feet, by land, now or formerly, of Ralph E. Person, Jr. et ux, to a point at the southernmost corner of land, now or formerly, of Ralph E. Person et ux;

Thence N. 55° 30′ 00" E., 497.32 feet, partially by land, now or formerly, of Ralph E. Person et ux, and partially by land, now or formally, of Robert S. Tersigni et ux, to a channel iron in a stone wall marking the northeasterly corner of land, now or formerly, of Robert S. Tersigni et ux, and at land excluded from this taking, to be retained by Peter & William Spacciapoli;

Thence S. 61° 48′ 25" E., 162.00 feet, by the stone wall and the excluded land, show upon the last plan referenced below as Lots 1 and 2, to a drill hole found at a point in the wall, now marking the southernmost corner of the excluded Lot 1;

Thence N. 40° 04′ 26" E., 312.83 feet, by the easterly line of Lot 1, to an iron pipe found at a point in a stone wall segment, now marking the northeasterly corner of Lot 1;

Thence N. 33° 23′ 50" W., 476.60 feet, by the northeasterly line of Lot 1, to a iron pipe found at a point in the southeasterly line of Wachusett Street at the southwesterly end of a stone wall;

Thence N. 41° 22′ 02" E., 414.61 feet, by the southeasterly line of Wachusett Street, to the first mentioned iron pipe at land, now or formerly, of Raymond F. & Valerie D. Regan, being the point and place of beginning.

Containing 42.54 acres, more or less, by estimate.

There is no complete recorded plan of the above described premises. The description set forth above is derived from previous deed descriptions of the locus parcel and deeds of properties conveyed from it, together with information shown upon the following survey plans:

A plan entitled "Land In Leominster, Mass. Owned By John S. Person", dated May 25, 1948 and prepared by William P. Ray, C.E., which plan is not recorded with Worcester Northern District Registry of Deeds. Copies of this plan are on file both with the successor firm to William P. Ray C.E., Whitman & Bingham Associates, Inc., 510 Mechanic Street, Leominster, MA 01453, and with the Real Property Office of the Metropolitan District Commission, 20 Somerset Street, Boston, MA 02108.

A plan entitled "Plan Of Land In Leominster, Mass. To Be Retained by Henry E. & Irene G. Person in a Proposed Conveyance to Americo P. Spacciapoli et ux", dated October 24, 1967, prepared by Alden S. Marble and Associates, which plan is not recorded with said Deeds. Copies of this plan are on file with the successor firm to Alden S. Marble and Associates, Whitman & Bingham Associates, Inc. 510 Mechanic Street, Leominster, MA 01453, and with the Real Property Office of the Metropolitan District Commission, 20 Somerset Street, Boston Ma 02108.

A plan entitled "Land In Leominster Mass. Owned By Americo P. & Ruth H. Spacciapoli", dated December 8, 1986, prepared by Whitman & Bingham Associates, which plan is recorded with said Deeds at Plan Book 303, Page 2.

A plan entitled "Land In Leominster, Massachusetts Owned By Americo P. Spacciapoli et ux", dated March 28, 1980, stamped, signed and recorded with side Deeds at Plan Book 240, Page 22.

A plan entitled "Land In Leominster, Mass. Surveyed For Peter Spacciapoli and William Spacciapoli", dated January 1998, prepared by David E. Ross Associates, Inc., David Edward Ross, P.L.S., which plan shall be recorded with Worcester Northern District Registry of Deeds.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Elm and/or Wachusett Streets, which may be held by the supposed owners as a result of their ownership of the above described premises, and being most of the same premises described in a deed from Americo P. Spacciapoli and Ruth H. Spacciapoli to Peter Spacciapoli and William Spacciapoli dated April 15, 1988 and recorded with Worcester Northern District Registry of Deeds at Book 1671, Page 55.

The above described property is represented upon Leominster Assessors Tax Map 546 as all of Parcel 18 and a portion of Parcel 18A.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Peter Spacciapoli and William Spacciapoli	$ 220,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $220,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, February 13, recommending that the Commission adopt an Order of Taking for acquisition of approximately 10.8 acres of land owned by Linda J. Allard, Lois A. O'Leary and Nancy L. Sullivan, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $120,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 10.8 acres of land owned by Linda J. Allard, Lois A. O'Leary and Nancy L. Sullivan, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 19, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Wood Street, more particularly bounded and described as follows:

Beginning at an iron pipe in the northerly line of Wood Street, at land, formerly of Crosby, now or formerly, of Eugene F. & Kathleen Habin, said pipe marking the southwesterly corner of the parcel herein being described;

Thence S. 85° 18′ E., 87.00 feet, by the street, to another iron pipe;

Thence N. 84° 29′ E., 169.00 feet, by the street, to another iron pipe;

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Thence N. 83° 17′ E., 107.95 feet, by the street, to a point near an iron pipe found 1.96 feet from the southwesterly corner of a parcel excluded from this taking, other land, now or formerly, of Allard, O'Leary & Sullivan, as shown upon the 1996 Peter G. Knowles subdivision plan cited below;

Thence N. 03° 58′ 11" W., 375.39 feet, to an iron pipe set at the northwesterly corner of the excluded parcel;

Thence N. 88° 12′ 52" E., 170.58 feet, to another iron pipe set in the northeasterly corner of the excluded parcel;

Thence S. 05° 24′ 37" E., 148.70 feet, to an iron pipe set in a corner of the excluded parcel;

Thence S. 86° 57′ 10" E., 48.38 feet, to another iron pipe set in another corner of the excluded parcel;

Thence S. 02° 40′ 10" E., 17.25 feet, to an iron pipe in another corner;

Thence S. 73° 21′ 08" W., 47.95 feet, to an iron pipe set in a corner of the excluded parcel;

Thence S. 05° 24′ 37" E., 178.00 feet to a point in the northerly line of Wood Street, lying 8.41 feet northwesterly of an iron pipe found;

Thence N. 83° 17′ E., 28.34 feet, by the street, to an angle point;

Thence N. 88° 00′ E., 151.00 feet, by the street, to another iron pipe;

Thence N. 86° 24′ E., 528.00 feet, by the street, to another iron pipe at the Junction of Wood Street and Mason Road;

Thence N. 67° 14′ E., 82.00 feet, by the northwesterly line of Mason Road, to an iron pipe, at land now or formerly of Henry L. Cournoyer, said pipe marking the southeasterly corner of the parcel herein being described;

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Thence N. 53° 13′ W., 1180.00 feet, by land, now or formerly, of the aforesaid Cournoyer, to an iron pipe at land, now or formerly, of Margaret M. Crosby & Carol C. Fleming, said pipe marking the northernmost corner of the parcel being described;

Thence S. 24° 30′ W., 902 feet, partially by land, now or formerly, of Crosby & Fleming and partially by land formerly of Crosby, now or formerly, of the aforesaid Habin, to the first mentioned iron pipe being the point and place of beginning.

Containing, by calculation, 10.8 acres, more or less, based upon information shown upon the two following survey plans:

1) A plan entitled "Land In Holden Surveyed For Henry D. Hall, Jr.", dated May 1960, and prepared by Wachusett Engineering & Construction Co. Inc., Leslie H. Spofford, P.E.& R.L.S.

2) A plan entitled "Plan Of Land In Holden, Massachusetts Prepared For John C. Oliver", dated October 26, 1996, and prepared by Peter G. Knowles, P.L.S.

Copies of both of the above cited engineered survey plans are on file with the Real Property Office of the Metropolitan District Commission, 20 Somerset Street, Boston, MA 02108.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Wood Street and/or Mason Road which may be held by the supposed owners, as a result of their ownership of the above described property, and being most of the same premises described in a deed from John C. Oliver to Linda J. Allard, Lois A. O'Leary and Nancy L. Sullivan, as tenants in common, dated August 18, 1992 and recorded with Worcester District Registry of Deeds at Book 14454, Page 170.

The above described property is represented upon Holden Assessors Tax Map 23 as most of Parcel 3.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Linda J. Allard, Lois A. O'Leary and Nancy L. Sullivan	$ 120,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $120,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, February 13, recommending that the Commission adopt an Order of Taking for acquisition of approximately 66.9705 acres of land owned by Bigelow Nurseries, Inc., located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $215,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 66.9705 acres of land owned by Bigelow Nurseries, Inc., located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 19, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain parcels of land lying off of the easterly side of School street, being portions of a larger lot fronting directly upon School Street, more particularly bounded and described as follows:

PARCEL 1

Beginning at the westernmost point of the parcel being described, at an angle in the easterly line of land, now or formerly, of Thomas Z. Richards, said point being located by reference to a Worcester County Highway Bound on the easterly line of School Street;

Beginning at a Worcester County Highway Bound on the easterly sideline of School Street, opposite station 51+39.18 of the 1949 Worcester County Highway Record Layout of said street;

Thence Southerly by the easterly layout line of School Street and a curve to the left, having a radius of 970.00 feet, an arc distance of 312.31 feet, to a point of tangency;

Thence S. 15° 29′ 20" E., 142.67 feet, by the highway, to a point at the end of a stone wall;

Thence S. 88° 18′ 43" E., 751.14 feet, by the stone wall, to a point in a corner of walls;

Thence N. 02° 29′ 14" E., 400.60 feet, by and through the wall to another point at a corner;

Thence N. 82° 59′ 14" E., 476.00 feet, to a point at an angle;

Thence N. 33° 10′ 28" W., 181.50 feet, to the POINT AND PLACE OF BEGINNING, the last four courses being by the property line dividing other land, now or formerly, of Bigelow Nurseries, Inc., from the adjoining land, now or formerly, of Thomas Z. Richards;

Thence N. 35° 40′ 29" E., 481.14 feet, partially by land, now or formerly, of T.Z. Richards, and partially by land, now or formerly, of Richard E. & Phyllis Fisher, to a concrete MDC bound found at a corner of land, now or formerly, of Robert Colbert;

Thence N. 59° 26′ 27" E., 878.72 feet, by land, now or formerly, of R. Colbert, to another concrete MDC bound found at a corner;

Thence S. 33° 05′ 22" E., 346.50 feet, by land, now or formerly, of R. Colbert, to another MDC concrete bound found at a corner of land, now or formerly, of Barbara K. Smith & Natalie M. Matheson;

Thence S. 33° 03′ 35" E., 118.21 feet, by land, now or formerly, of B.K. Smith & N. M. Matheson, to a drill hole found in the northwesterly end of a stone wall, at other land, now or formerly, of Bigelow Nurseries, Inc., to be retained by said owner;

Thence S. 03° 24′ 58" W., 548.68 feet, to a drill hole set at a corner;

Thence S. 56° 30′ 16" W., 597.94 feet, to a drill hole set in the northeasterly end of a stone wall;

Thence S. 30° 46′ 13" W., 181.37 feet, by the stone wall, to a drill hole set at a corner of walls;

Thence S. 77° 37′ 58" W., 243.59 feet, to a drill hole set at the southernmost point of the parcel herein being described;

Thence N. 19° 30′ 59" W., 131.50 feet, crossing a brook, to a drill hole set at a point on the westerly bank;

Thence N. 19° 29′ 39" W., 404.11 feet, three times crossing and recrossing a brook, to a drill hole set on the northeasterly bank of the brook;

Thence N. 62° 04′ 12" W., 283.04 feet, to a point at land, now or formerly, of Thomas Z. Richards, being the POINT AND PLACE OF BEGINNING, the last seven courses being by other land, now or formerly, of Bigelow Nurseries, Inc., said other land being specifically excluded from the provisions of this order and reserved to said owner;

Containing 24.9506 acres, more or less, as shown as PARCEL 1 upon the survey plan cited at the conclusion of the description of PARCEL 2, below.

PARCEL 2

Beginning at a concrete MDC bound set at an angle in the easterly line of land, now or formerly, of Patricia E. Bigelow, and at a corner of the other land, now or formerly, of Bigelow Nurseries, Inc., referred to above as excluded from the provisions of this order and reserved to said owners, said concrete bound and POINT AND PLACE OF BEGINNING being located by reference to the WCH bound cited in the description of PARCEL 1 above;

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Beginning at a Worcester County Highway Bound on the easterly sideline of School Street, opposite station 51+39.18 of the 1949 Worcester County Highway Record Layout of said street;

Thence Southerly by the easterly layout line of School Street and a curve to the left, having a radius of 970.00 feet, an arc distance of 312.31 feet, to a point of tangency;

Thence S. 15° 29′ 20" E., 569.01 feet, by the easterly line of School Street as established by the 1949 and 1935 Record Layouts of said street, to a point at a cart road and lands, now or formerly, of Patricia E. Bigelow, and now or formerly, of Bigelow Nurseries, Inc.;

Thence S. 87° 14′ 20" E., 718.50 feet, along the cart road, to a point;

Thence N. 80° 22′ 40" E., 390.00 feet, along the cart road, to a point at a corner;

Thence S. 02° 57′ 20" E., 240.00 feet, entering and running through a stone wall, to the concrete MDC bound set, being the POINT AND PLACE OF BEGINNING, the last three courses being by the property lines dividing lands, now or formerly, of P.E. Bigelow, and other land, now or formerly, of Bigelow Nurseries, Inc.;

Thence S. 83° 52′ 38" E., 509.81 feet, to a drill hole set;

Thence S. 83° 52′ 02" E., 519.27 feet, to another drill hole set at a corner;

Thence N. 39° 07′ 24" E., 406.78 feet, to another drill hole set at another corner;

Thence N. 46° 18′ 52" W., 340.37 feet, to a drill hole set in a stone wall;

Thence N. 41° 21′ 15" E., 336.62 feet, by the stone wall, to a drill hole set in the northeasterly end of the wall;

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Thence N. 48° 57′ 37" E., 337.95 feet, crossing the cart road, to a drill hole set in a corner of walls;

Thence N. 54° 00′ 09" E., 145.33 feet, by the stone wall, to another drill hole set at another corner of walls and at land, now or formerly, of Barbara K. Smith & Natalie M. Matheson, the last seven courses being by other land, now or formerly, of Bigelow Nurseries, Inc., excluded from this order and reserved to said owners;

Thence S. 32° 45′ 48" E., 56.06 feet, by the wall, to a drill hole found;

Thence S. 53° 56′ 33" E., 42.49 feet, by the wall, to another drill hole found;

Thence S. 56° 58′ 38" E., 182.94 feet, by the wall, to a point therein;

Thence S. 56° 52′ 49" E., 37.18 feet, by the wall, to a point therein;

Thence S. 71° 39′ 49" E., 331.13 feet, by the wall, to a drill hole found in a corner of walls, at the northwesterly corner of land, formerly of George E. & Shirley B. Kemp, now or formerly, of Kevin J. McGrath;

Thence S. 29° 50′ 36" W., 357.26 feet, by and through the connecting stone wall and land, now or formerly, of K.J. McGrath, to a point near a stone bound found, said point being a point of intersection of the property lines of lots, now or formerly, of Phillips S. & Laurel A. Davis, and, of John F. & Sandra L. Wentzell;

Thence S. 01° 14′ 42" W., 850.00 feet, by land, now or formerly, of J.F. & S.L. Wentzell, to a point adjoining an iron pin found, said point being a juncture point of property lines of lots, now or formerly, of J.F. & S.L. Wentzell, of Robert J. & Suzanne D. Petrucci, and, of Neil M. & June E. Henderson;

Thence S. 22° 02′ 02" W., 106.86 feet, by land, now or formerly, of N.M. & J.E. Henderson, to a concrete MDC bound set at a corner, and land, formerly, of the Roman Catholic Bishop Of Worcester, now or formerly, of D.F.P., LLC.;

Thence S. 87° 01′ 45" W., 747.90 feet, entering and running by and through a stone wall to another MDC concrete bound set at a corner;

Thence S. 35° 48′ 14" W., 148.50 feet, to a concrete MDC bound set at the northeasterly end of a stone wall, at a corner;

Thence N. 45° 52′ 54" W., 521.40 feet, running into, by and through a stone wall segment, to a point in a 16" cherry tree;

Thence S. 68° 52′ 06" W., 478.50 feet, to another MDC concrete bound set at an angle;

Thence N. 88° 07′ 54" W., 346.50 feet, to a point at a corner of other land, now or formerly, of Bigelow Nurseries, Inc., the last five courses being by land, formerly of the Roman Catholic Bishop of Worcester, now or formerly, of D.F.P., LLC.;

Thence N. 86° 27′ 48" W., 298.37 feet, to a drill hole set in a stone wall, at a corner;

Thence N. 14° 04′ 59" E., 106.36 feet, by the stone wall, to a drill hole set at a point therein;

Thence N. 12° 21′ 32" E., 174.14 feet, by the stone wall, to a drill hole set in a corner of walls, at the previously mentioned land, now or formerly, of Patricia E. Bigelow, the last three courses being by other land, now or formerly, of Bigelow Nurseries, Inc.;

Thence S. 86° 34′ 09" E., 234.30 feet, to another MDC concrete bound set at a corner;

Thence N. 11° 02′ 40" E., 238.46 feet, to the first mentioned MDC concrete bound, being the POINT AND PLACE OF BEGINNING, the last two courses being by land, now or formerly, of P.E. Bigelow.

Containing 42.0199 acres, more or less, as shown as PARCEL 2 upon a plan entitled "Commonwealth Of Massachusetts Metropolitan District Commission Division Of Watershed Management Boylston,(Worcester County), MA, Land Taking Plan For Watershed Protection", dated May 22, 1997, prepared by Cullinan Engineering, Inc. Mark T. LaPrad, P.L.S., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

The total area comprising PARCELS 1 & 2, as described above and shown upon the cited survey plan, intended to be taken herein and herewith, is calculated to be 66.9705 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the northerly and southerly portions of the same premises described in a deed from Palmer W. Bigelow, Jr. to Bigelow Nurseries, Inc., dated 27th September 1988 and recorded with Worcester District Registry of Deeds at Book 11660, Page 359.

The above described property is represented upon Boylston Assessors Tax Map 5 as Parcel 46.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Bigelow Nurseries, Inc.	$ 215,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $215,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:05 a.m., to meet on Thursday, March 5, 1998, at 9:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Eight Hundred and Forty Third (3843rd)meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 5, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort and Settles.

The Records of the Commission Meeting held on February 12, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Mayhew, January 13, recommending the following on Contract No. P97-1883-C1A, with MRP Site Development, Inc., for Demolition of Peter J. Kelley Skating Rink, Jamaica Plain -
(a) That work be accepted as completed as of October 5, 1997.
(b) That Estimate No. 3 (Final), in the amount of $3,325.00, be approved for payment.
(c) That reserve, in the amount of $3,425.00, be approved for payment.

(Basis of Award - $65,000.00)
(Amount to Date - $68,500.00)
(Contract Performance Rating - 90 with 100 being excellent)
(EEO Compliance - 4.00)

The Commission V O T E D: that the work of MRP Site Development, Inc., Contractor under Contract No. P97-1883-C1A, be and hereby is accepted as completed as of October 5, 1997.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $3,325.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,425.00, for payment.

2. Report of Messrs. Faucher, Brooks and Park, February 4, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1946-C1A, to Sandblast and Paint Pools: Waltham, Chelsea, Somerville (Dilboy) and Melrose.
Estimated Cost - $219,000.00.
Time for Performance - two months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1946-C1A, to Sandblast and Paint Pools: Waltham, Chelsea, Somerville (Dilboy) and Melrose.

3. Report of Messrs. Faucher, Brooks and Kane, February 11, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1923-C1A, for Relocation and Construction for the Backflow Preventer, Hull.
Estimated Cost - $68,500.00.
Time for Performance - ninety days.

Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1923-C1A, for Relocation and Construction for the Backflow Preventer, Hull.

1. Report of Messrs Faucher, Brooks and Kane, February 10, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1951-C1A, for Demolition of MDC Owned Structure Adjacent to Almy's Building, Western Avenue, Brighton.
Estimated Cost - $25,000.00.
Time for Performance - thirty days.
Account No. 2449-0003.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1951-C1A, for Demolition of MDC Owned Structure Adjacent to Almy's Building, Western Avenue, Brighton.

2. Report of Mr. Faucher and Mrs. Graves-Jones, February 27, recommending approval of revisions in quantities on the following items on Contract No. P96-1836-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts -

Item No. 001-010	**$ 300.00**
Cleaning and Relamping of Traffic Control Devices	
Item No. 004-030	**$1,295.00**
Labor Rate Helper for Miscellaneous Repairs	
Item No. 005-010	**$ 500.00**
Labor Rate for Vehicle Miscellaneous Repairs	
Item No. 009-010	**$ 225.00**
Pedestrian Push Button and Sign	
Item No. 012-010	**$ 625.00**
Communication System and Clerical Work	
Item No. 013-010	**$ 208.33**
Storage Room and Engineer's Office	
	Total = $3,153.33

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 002-010, 003-020, 006-010, 007-010, 007-020, and 008-010).
The Commission V O T E D: Approved.

3. Report of Mr. Faucher and Mrs. Graves-Jones, February 3, recommending the following on Contract No. P96-1822-M1A, with Markings Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC -
(a) That work be accepted as completed as of November 30, 1997.
(b) That Estimate No. 16 (Final), in the amount of $3,243.39, be approved for payment.
(c) That reserve, in the amount of $12,170.27, be approved for payment.
(Basis of Award - $241,385.00)
(Amount to Date - $283,036.35)
(Contract Performance Rating - 4.30)
(EEO Compliance - 3.60)

The Commission V O T E D: that the work of Markings Inc., Contractor under Contract No. P96-1822-M1A, be and hereby is accepted as completed as of November 30, 1997.
The Commission further V O T E D: to approve Estimate No. 16 (Final), in the amount of $3,243.39, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $12,170.27, for payment.

1. Report of Messrs. Faucher and Soroka, February 28, recommending approval of revisions in quantities on the following items on Contract No. P96-1838-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems - Charles River Basin Districts -

Item No. 001-010	**$ 300.00**
Cleaning, Relamping of Traffic Control Devices	
Item No. 004-010	**$1,900.00**
Labor Rate for Lic. Electr. (Cont.Tech)	
Item No. 004-030	**$ 490.00**
Labor Rate for Helper	
Item No. 005-010	**$ 410.00**
Hourly Rate for Vehicle for Misc. Repairs	
Item No. 009-010	**$ 300.00**
Pedestrian Push-Button Sign	
Item No. 012-010	**$1,000.00**
Communications System	
Item No. 013-010	**$ 208.33**
Storage Room and Engineer's Office	
	Total = $4,233.33

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 002-010, 003-020, 004-020 and 006-010).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and Mayhew, February 24, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1948-C1A, for Demolition of Bathhouse at Havey Beach, Veterans of Foreign Wars Parkway, West Roxbury.
Estimated Cost - $20,000.00
Time for Performance - Completion no later than 15 days after Notice to Proceed.
Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1948-C1A, for Demolition of Bathhouse at Havey Beach, Veterans of Foreign Wars Parkway, West Roxbury.

3. Report of Messrs. Faucher, Brooks and Mayhew, February 24, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1949-C1A, to Remove and Dispose of Prefabricated Metal Shed at Mystic Lakes.
Estimated Cost - $20,000.00
Time for Performance - Completion no later than 15 days after Notice to Proceed.

Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1949-C1A, to Remove and Dispose of Prefabricated Metal Shed at Mystic Lakes.

1. Report of Messrs. Faucher, Brooks and Mayhew, February 24, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P98-1950-C1A, for Demolition of Dwelling at Triphammer Woods, Hingham.
Estimated Cost - $10,000.00.
Time for Performance - Completion no later than 10 days after Notice to Proceed.
Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1950-C1A, for Demolition of Dwelling at Triphammer Woods, Hingham.

2. Report of Messrs. Faucher and Jackson, March 2, requesting approval of an increase in value on Contract No. P97-1870-C3A, for Reconstruction of Richard T. Artesani Playground, Brighton, from $570,000.00 to $730,000.00 (an increase of $160,000.00), due to the need to reconstruct the spray pool.
Account No. 2440-8952.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Jackson in their report of March 2, 1998.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn, Kane and Ronald O'Connor, January 20, recommending the following on Contract No. WM95-011-D1A, with Woodward-Clyde Consultants, Inc., for Restoration of the Downstream Areas, Goodnough Dike, Quabbin Reservoir, Ware -
(a) That work be accepted as completed as of September 30, 1997.
(b) That Estimate No. 8 (Final), in the amount of $8,997.89, be approved for payment.
(c) That reserve, in the amount of $5,483.95, be approved for payment.
(Basis of Award - $72,061.00)
(Amount to Date - $54,839.36)
(Consultant Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Woodward-Clyde Consultants, Inc., Consultant under Contract No. WM95-011-D1A, be and hereby is accepted as completed as of September 30, 1997.
The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of $8,997.89, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,483.95, for payment.

4. Report of Messrs. McGinn and Robert O'Connor, February 13, requesting approval of Project Summary, Project Justification,

Work Schedule and authorization to advertise Project No. WM98-097-M1X, for Tree Removal at Sudbury Reservoir.
Cost not-to-exceed - $10,000.00.
Time for Performance - March 23 to June 30, 1998.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM98-097-M1X, for Tree Removal at Sudbury Reservoir.

1. Report of Messrs. McGinn and Robert O'Connor and Ms. Zilligen February 27, requesting an extension of time from November 15, 1997 to May 16, 1998 on Contract No. WM97-084-C1A, with South Shore Fence Co., Inc., North Dike Fence Installation, due to a small portion of work which can not be completed due to weather conditions.
The Commission V O T E D: to approve an extension of time from November 15, 1997 to May 16, 1998, as requested by Messrs. McGinn and Robert O'Connor and Ms. Zilligen in their report of February 27, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over until the Commission Meeting of March 19, 1998.

Action was taken upon the following Various Matter:

3. Report of Messrs. Jewett and Kelter, February 26, requesting approval and execution of Service Contract with the Charles River Watershed Association, for Testing of Fecal Coliform Levels in the Charles River and the Posting of Warning Flags to Indicate Unsafe Levels of Contamination, as directed by Chapter 43 of the Acts of 1997, Section 2, Line Item 2440-0010.
Compensation - $10,000.00
Time for Performance - Completion no later than June 30, 1998.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Service Contract, dated March 5, 1998, with the Charles River Watershed Association, which was signed by the Commissioner and two Associate Commissioners.

Adjourned at 10:10 a.m., to meet on Thursday, March 12, 1998, at 9:00 a.m.

William F. Grenl
Secretary

Record of the Three Thousand Eight Hundred and Forty Fourth (3844th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 12, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort and Settles.

The Records of the Commission Meeting held on February 19, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Abounaja, March 4, requesting approval of Amendment No. 2, in the sum of $50,000.00, for an increase in scope of work as follows, on Contract No. P95-1768-D1A, with Gale Associates, Inc., for Licensed Site Professional Services for Various MDC Facilities -

Site No. 1	- Schaffer Paper, Dorchester	- $30,988,50
Site No. 2	- Somerville Boat House	- $ 2,255.00
Site No. 3	- 1420 Soldiers Field Rd., Brighton	- $ 4,096.00
Site No. 4	- Lee Pool, Storrow Drive, Boston	- $ 3,755.00
Site No. 5	- Brighton/Allston Pool, Brighton	- $ 8,923.00
Site No. 6	- Orient Height Bathhouse, East Boston	- $ 8,699.50
Site No. 7	- 1610 Soldiers Field Road, Brighton	- $ 800.00
Site No. 8	- 1603 River Street, Hyde Park	- $ 800.00
Site No. 9	- 475 Neponset Avenue, Dorchester	- $ 800.00
Site No. 10	- State Police Station, Wellington Circle	- $ 800.00
Site No. 11	- US Army Materials Testing Lab, Watertown	- $ 800.00
	Total =	$48,958.00

Account No. 2490-8910.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and Abounaja, March 4, recommending approval of the action of Acting Director Faucher resulting in the following on Contract No. P97-1898-C1A, with R.H.D. Construction Company, Inc., for Unquity Road Landfill Closure, Milton -

Extra Work Orders

Extra Work Order No. 2	**$ 7,000.00**
Additional Gravel Material for Cover for Refuse	
Extra Work Order No. 3	**$ 6,000.00**
Police Details for Traffic Control	

Revision in Quantity

Item No. 002-003	**$19,500.00**
Transportation and Placement of Gas Venting Street Sweeping Sand	

Account No. 2490-0009.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $7,000.00.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $6,000.00.

The Commission further V O T E D: to approve the Revision in Quantity on Item No. 002-003, in the amount of $19,500.00.

1. Report of Messrs. Faucher, Brooks and Park, March 4, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P98-1952-C1A, to Furnish and Install Three (3) Steel In-Line Dasherboard Systems for Outdoor Rollerblading.
Estimated Cost - $180,000.00.
Time for Performance - approximately one month.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1952-C1A, to Furnish and Install Three (3) Steel In-Line Dasherboard Systems for Outdoor Rollerblading.

2. Report of Messrs. Faucher, Brooks, Haider and Park, March 2, recommending approval of an extension of time from March 4, 1998 to May 4, 1998, due to 4 to 6 week lead time for delivery of skylights, on Contract No. P98-1941-C1A, with Gibson's Roofs, Inc., for Roof Replacement at Stoneham Central Services Garage, Stoneham.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from March 4, 1998 to May 4, 1998, as recommended by Messrs. Faucher, Brooks, Haider and Park in their report of March 2, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher, Brooks and Haider, March 6, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, for installation of new water pipe, a soil pipe and other necessary work to bring the facilities up to state plumbing code, at a cost of $24,186.51, on Contract No. P97-1907-C1A, with P. J. Kennedy and Sons, Inc., for Installation of 10" Sewage Line in Hull.
($17,121.78 is available from unused funds in other items)
($7,064.73 is available in Account No. 3490-0017).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P97-1907-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $24,186.51.

4. Report of Mr. Faucher and Ms. Pomorska, March 5, recommending approval of revisions in quantities on the following items on Contract No. P96-1837-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts -

Item No. 004-010 - Labor Rate Cont. Tech	-	**$1,250.00**
Item No. 004-030 - Labor Rate for Helper	-	**$ 857.50**
Item No. 005-010 - Hourly Rate for Vehicle	-	**$ 415.00**
	Total =	**$2,522.50**

(At no increase in Contract cost as the revisions will be

offset by unused quantities in Item Nos. 006-010, 006-020, 008-010, 008-020, 008-030, 009-010, 003-010, 010-010, 014-010, 015-009, 015-015, and 005-010).
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, February 19, requesting approval of Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM95-011-C1A, for Restoration of the Downstream Areas, Goodnough Dike, Quabbin Reservoir, Ware.
Estimated Cost - $150,000.00.
Estimated Time for Performance - six months from Notice to Proceed.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM95-011-C1A, for Restoration of the Downstream Areas, Goodnough Dike, Quabbin Reservoir, Ware.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
The Commission V O T E D: Held Over until the Commission Meeting of March 19, 1998.

Adjourned at 9:40 a.m., to meet on Thursday, March 19, 1998, at 9:00 a.m.

William L. Arrowsmith
Secretary

Record of the Three Thousand Eight Hundred and Forty Fifth (3845th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 19, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on March 5, 1998 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P98-1924-M1A, dated March 19, 1998, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the Metropolitan District Commission.

2. Contract-Agreement, dated March 19, 1998, with CONECO Environmental Corporation, for Compliance and Site Assessment Services, Wachusett Reservoir Watershed.

3. Amendment to Contract-Agreement No. WM95-052-S1A, with Camp Dresser & McKee, for Wachusett Stormwater Management Plan. As the Amendment did not arrive in time for execution by the full Commission, Commissioner Balfour was authorized to execute the document on behalf of the Commission, when it is received.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Griffin, March 13, recommending approval of Amendment No. 2 to Contract No. P82-1129-D1A, with Vanasse Hangen Brustlin, Inc., for Engineering Services for the Rehabilitation of Morrissey Boulevard and Redesign of John J. Beades Bridge, which calls for additional public participation and drainage design, at a cost of $30,160.00.
Account No. 2490-8910.
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Machado, March 13, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P97-1918-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District.
Estimated Cost - $740,000.00.
Time for Performance - FY98 and FY99 construction seasons - thirteen months.
Account Nos. 2490-0017 and 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No.P97-1918-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District.

1. Report of Messrs. Faucher and Machado, March 13, submitting for approval Project Summary, Project Justification Work Schedule and requesting authorization to advertise Project No. P97-1920-C1A, for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District.
Estimated Cost - $2,045,000.00.
Time for Performance - FY98 and FY99 construction seasons - fourteen months.
Account Nos. 2490-0017 and 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1920-C1A, for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District.

2. Report of Messrs. Faucher and Machado, March 13, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P97-1919-C1A, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Parks System.
Estimated Cost - $600,000.00.
Time for Performance - twelve months.
Account Nos. 2490-0017 and 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1919-C1A, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Parks System.

3. Report of Messrs Faucher, Brooks and Abounaja, March 13, submitting for approval Project Summary, Work Schedule and Project Justification to Procure a Licensed Site Professional Services for Various MDC Contaminated Facilities.
Estimated Cost - $400,000.00.
Time for Performance - thirty six months.
Accounts Nos. 2440-8885, 2441-9952 and 2490-0010.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Brooks and Martinez, February 27, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, for use of excavateable flow fill required by the City of Boston in place of bank run gravel, at a cost of $2,957.51, on Contract No. P98-1933-C1A, with D'Allesandro Corporation, for Sewer Building Line Connection at Emmons-Horrigan-O'Neil Rink, Charlestown.
Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P98-1933-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $2,957.51.

5. Report of Messrs. Faucher, Brooks and Abounaja, March 10, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities as follows on Contract No. P95-1792-C1B, with Environmental Restoration, Inc., for Lead

Paint Removal at Various MDC Facilities -

Item No. 001-004	**$10,010.00**
Remove and Transport Lead Paint from Masonry Walls	
Item No. 001-009	**$ 900.00**
Remove and Transport Lead Paint Waste from Metal Door	
Item No. 001-020	**$12,150.00**
Transport and Dispose of 55 Gallon Drum Hazardous Lead Paint Waste	
Item No. 002-005	**$ 500.00**
Construction of Decontaminated Facilities	
Item No. 003-002	**$11,200.00**
Crew Shift	
Item No. 004-001	**$ 140.00**
Rental of 40 c.y. Dumpster	
Item No. 004-003	**$ 1,000.00**
Transport of 40 c.y. Dumpster	
Item No. 004-004	**$ 4,100.00**
Disposal Cost for 40 c.y. Dumpster	
	Total = $40,000.00

Account Nos. 2490-0009 and 2440-8885.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P95-1792-C1B.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $40,000.00.

1. Report of Messrs. Faucher, Brooks and Kane, March 6, requesting approval of Extra Work Order No. 1, for installation of wood magnum single hung windows (9) - to be placed on the Land Boulevard (South Wall) View, at a cost of $19,044.99, on Contract No. P97-1913-C1A, with Langton & Douglas Construction, Inc., for Historic Stables Renovation, Cambridge.
Account No. 2449-0003.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $19,044.99.

2. Report of Miss Overton and Messrs. Faucher and Orfant, March 12, requesting approval of Amendment No. 1 to Contract No. P95-1804-D1A, with Sasaki Associates, for Dorchester Shores Beaches Restoration Program, which calls for the following -
   1. A budget increase of $110,651.00 due to an additional seven permitting meetings; additional design effort and completion of the MEPA required Interim Assessment document.
   2. An additional $73,018.00 for design and permitting of a twenty to twenty-five acre saltmarsh restoration in the Neponset River Reservation as mitigation for the unavoidable loss of .56 acres of salt marsh at Savin Hill Beach.

   Total = $183,669.00

Account Nos. 2440-8956 and 2440-8843.
The Commission V O T E D: Approved as requested by Miss Overton and Messrs. Faucher and Orfant, in their report of March 12, 1998.

1. Report of Messrs. Faucher and McCalla, March 4, recommending approval of revisions in quantities on the following items on Contract No. P96-1861-M1A, with Coviello Electric & General Contracting Company, Inc., for Electrical and Electronic Sound System Maintenance -

Item No. 1	**$11,250.00**
Hourly Rate for Licensed Electrician	
Item No. 2	**$ 9,000.00**
Hourly Rate for Licensed Electrician - Electronic Repairs	
Item No. 3	**$ 5,250.00**
Hourly Rate for Helper	
Item No. 6	**$34,500.00**
Materials, Components, Parts and Equipment	
Total =	**$60,000.00**

Funding for $19,040.00 - Account No. 2449-0003.
Funding for $40,960.00 - Account No. 2440-9800.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Jackson, January 6, recommending the following on Contract No. P95-1784-C1A, with A. W. Paine Construction Corp., for Rehabilitation of Mother's Rest Pavilion and Marine Park Bandstand, South Boston -
(a) That work be accepted as completed as of July 31, 1997.
(b) That reserve, in the amount of $4,526.59, be approved for payment.
(Basis of Award - $437,200.00)
(Total to Date - $452,658.58)
(Contract Administration Rating - 88 with 100 being excellent)
(EEO Compliance - 4.20)
The Commission V O T E D: that the work of A. W. Paine Construction Corp., Contractor under Contract No. P95-1784-C1A, be and hereby is accepted as completed as of July 31, 1997.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,526.59, for payment.

3. Report of Messrs. Faucher and Martinez, January 21, recommending the following on Contract No. P97-1915-C1A, with Gibson's Roofs, Inc., for Demolition and Replacement of the Roof at Almy's Building, Brighton -
(a) That work be accepted as completed as of December 30, 1997.
(b) That Estimate No. 2 (Final), in the amount of $45,695.00, be approved for payment.
(c) That reserve, in the amount of $14,005.00, be approved for payment.
(Basis of Award - $282,500.00)
(Total to Date - $280,100.00)
(Contract Administration Rating - 84 with 100 being excellent)
(EEO Compliance - 4.67)
The Commission V O T E D: that the work of Gibson's Roofs, Inc., Contractor under Contract No. P97-1915-C1A, be and hereby is accepted as completed as of December 30, 1997.
The Commission further V O T E D: to approve Estimate No. 2

(Final), in the amount of $45,695.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $14,005.00, for payment.

1. Report of Messrs. Faucher, DiPietro and Guerrini, March 16, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to procure services for Project No. P95-1798-M2A, for Control of Nuisance Vegetation; Upper Mystic Lake.
Upset Limit - $25,000.00.
Expiration Date - December 31, 1999.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to procure services for Project No. P95-1798-M2A, for Control of Nuisance Vegetation; Upper Mystic Lake.

2. Report of Messrs. Faucher and Jackson, February 26, requesting approval of Extra Work Order No. 1 - for removal of additional debris and damaged trees - at a cost of $18,000.00, on Contract No. P98-1934-C1A, with Tree Technology & Landscape, Inc., for Selective Clearing at Bellevue Hill.
Account No. 2440-0010.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $18,000.00.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien, November 18, recommending approval of an extension and an Amendment to the Permit with Boston Duck Tours, L. P., subject to certain modifications.
(At the Commission Meeting of November 20, 1997, the Commission V O T E D: to hold the matter over while granting an extension of the existing permit to Boston Duck Tours, L. P., until such time as the matter comes before the Commission for a vote).
Following a lengthy discussion, the Commission V O T E D as follows -
   1. To extend the June 15, 1994 Permit to Boston Duck Tours, LLP, to operate an amphibious tour for a period of one year from March 19, 1998, with two possible extensions at one year each. The decision to grant said extensions shall be at the MDC's discretion.
   2. To approve the renewal of Boston Duck Tours roadway licenses.
   3. The Commission then requested that Commissioner Balfour appoint a procurement team to develop a Request for Responses to facilitate the construction of a new amphibious tour vehicle ramp. It is the intention of the Commission, that any future permits be non-exclusive. It is also the intention of the Commission that the procurement process be completed by May 30, 1998. The Commission then voted that the Request for Responses require respondents to have obtained all necessary permits, licenses or approvals to operate the tour service from the appropriate federal, state and municipal governmental agencies.

4. The Commission further voted to accept information submitted by Boston Duck Tours, LLP, as required under terms of the Permit.

Associate Commissioner Settles did not participate in discussion nor vote on this matter.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, March 13, requesting that the Commission approve and authorize Commissioner Balfour to execute on behalf of the Commission, Amendments to three (3) of nine (9) contracts for Professional Real Estate Appraisal Services relating to the FY1998 Watershed Land Acquisition Program as approved by the Commission at its Meeting of February 12, 1998 -

NAME	VALUE	PARCELS
Reynolds Company	$(10,400.00)	(2)
	+ 56,712.00	15
Totals =	**$ 67,112.00**	**17**
Peter S. Emerson & Associates	($ 5,500.00)	(1)
	+139,200.00	50
Totals =	**$144,700.00**	**51**
Ellen Harding Anderson	($12,500.00)	(3)
	+124,550.00	47
Totals =	**$137,050.00**	**50**

Account No. 2420-1402.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Commissioner Balfour to execute on behalf of the Commission, Amendments to three (3) of nine (9) contracts for Professional Real Estate Appraisal Services relating to the FY1998 Watershed Land Acquisition Program as approved by the Commission at its Meeting of February 12, 1998.

2. Report of Mr. Jewett, March 16, on behalf of the Consultant Selection Committee, requesting approval of the selection of Bruce Campbell & Associates, Inc., for Professional Traffic Engineering Services.
Compensation - estimated at $250,000.00, to be paid on a cost plus fixed fee basis.
Time for Performance - thirty six months.
Account No. 2490-0010.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of March 16, 1998.

3. Report of Mr. Jewett requesting approval and execution of a Grant Agreement with the Town of Winchester, in the sum of no less than $25,000.00, for improvements to the Town owned Ginn Field, as directed by Chapter 43 of the Acts of 1997, Section 2, Line Item 2440-0010.
All services to be completed no later than June 30, 1998.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Grant Agreement, dated

March 19, 1998, with the Town of Winchester, which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. Broderick and Jewett, March 17, requesting approval and execution of a one year extension of the Agreement with Harbor Cruises, LLC, to Provide Water Transportation to and among the Boston Harbor Islands State Park, commencing on March 12, 1998 and expiring on March 11, 1999, with provisions for a one-year extension at the option of the MDC and DEM.
The Commission V O T E D: Approved.
The Secretary then submitted for signature one year extension, dated March 19, 1998, of the Agreement with Harbor Cruises, LLC, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

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1. Report of Mr. Gray, March 13, recommending that the Commission adopt an Order of Taking for acquisition of approximately 158.6 acres of land owned by Robert G. Mason, et al, Trustees, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $1,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 158.6 acres of land owned by Robert G. Mason, et al, Trustees, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 19, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Three certain contiguous parcels of land lying on and off of the northwesterly side of East Princeton Road-Route 31, between said Worcester County Highway and Beaman Road, more particularly bounded and described as follows:

Parcel 1. A certain parcel of land now or formerly owned by Robert G. Mason, Trustee of East Princeton Road Realty Trust, and

Beginning at the southwesterly corner of the parcel herein being described, at a point in a stone wall, at land, now or formerly of Leslie E. & Margaret E. Poole, formerly a part of the T.H. Skinner Farm, said point being within the northwesterly line of the 1949 Worcester County Highway Record Layout of East Princeton Road-Route 31, between Stations 61 and 62, as shown upon the record plan cited below;

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Thence S. 68° 25′ 55" E., about 57.0 feet, more or less, by the highway layout, to a Worcester County Highway bound at Station 60+68.76, the easterly terminus of the 1949 Worcester County Highway Record Layout and the beginning of the 1946 Worcester County Highway Record Layout;

Thence Northeasterly, by the 1946 Worcester County Highway Record Layout, along the arc of a curve to the left, having a radius of 770.00 feet, an arc distance of 866.99 feet, to a W.C.H. bound in a stone wall, at Station 51+65.00, within a portion of the highway not altered by this layout;

Thence N. 47° 03′ 20" E., 509.25 feet, through the stone wall and by the highway record layout to a W.C.H. bound, at a point of curvature, at Station 46+55.75;

Thence Northeasterly, by the record layout, along the arc of a curve to the left, having a radius of 4030.00 feet, an arc distance of 200.46 feet, to a point at Station 44+56.73;

Thence N. 49° 54′ 20" E., about 7.0 feet, more or less, to a point in a stone wall, at land, formerly of William E. & Alfred T. Glockner, now or formerly, of William S. Daly et ux;

Thence N. 30° 00′00" W., about 333.0 feet, more or less, by land, now or formerly, of W.S. Daly et ux, to a point at the easternmost corner of land, now or formerly, of the Off Mirick Road Realty Trust, Robert G. & Anne S. Mason, Trustees, described below as Parcel 2;

Thence S. 57° W., by the southeasterly line of land, now or formerly, of the Off Mirick Road Realty Trust, about 1480 feet, more or less, to a point in a stone wall, at a corner of land, now or formerly, of Leslie E. & Margaret E. Poole;

Thence On the same bearing, about 174 feet, more or less, by the stone wall, and land, now or formerly, of L.E. & M.E. Poole, to the first mentioned point in the northwesterly line of East Princeton Road-Route 31, being the point and place of beginning.

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Containing 10.1 acres, more or less, by previous deed description. There is no known recorded or unrecorded survey plan of the above described premises.

Parcel 2. A certain parcel of land now or formerly owned by Robert G. Mason and Anne S. Mason, Trustees, of Off Mirick Road Realty Trust, and

Beginning at the southernmost corner of the parcel herein being described, at a point in a stone wall, at land, now or formerly, of Leslie E. & Margaret E. Poole, and land, now or formerly, of East Princeton Road Realty Trust, described above as Parcel 1, said point lying about 174 feet, more or less, as measured along the wall, from a point in the northerly line of the 1949 Worcester County Highway Record Layout of East Princeton Road-Route 31, the beginning and ending point in the description of Parcel 1, above;

Thence N. 32° 00′ 00" W., 2015 feet, more or less, by a stone wall and land, now or formerly, of L.E. & M.E. Poole, to a point in a corner of walls, at land formerly of Chandler & Houghton, late of the Richard B. Dean Estate, and now of the Commonwealth Of Massachusetts, Metropolitan District Commission;

Thence On the same bearing, about 245 feet, more or less, by the stne wall and land of the Commonwealth of Massachusetts, MDC, to a point in a wall corner, the northwesterly corner of the parcel herein being described;

Thence N. 56° 30′ 00" E., about 525 feet, more or less, by the wall and land of the Commonwealth of Massachusetts, MDC, to a point at land, formerly of the Chester C. Drury, Estate, now or formerly, of Beaman Road Realty Trust, Robert G. & Anne S. Mason, Trustees, described below as Parcel 3;

Thence On the same bearing, 946 feet, more or less, by the stone wall and land, now or formerly of Beaman Road Realty Trust, to a point in a corner of walls, the northeasterly corner of the parcel herein being described, at land, now or formerly, of William S. Daly et ux;

Thence S. 30° 00′ 00" E., about 2147 feet, more or less, by the wall and land, now or formerly, of W.S. Daly et ux, to a point at the northernmost corner of land, now or formerly, of East Princeton Road Realty Trust, described above as Parcel 1, being the southeasterly corner of the parcel herein being described;

Thence S. 57° 00′ 00" W., about 1300 feet, more or less, to the first mentioned point in the corner of walls, being the point and place of beginning.

Containing about 65 acres, more or less, by previous deed description. There is no known recorded or unrecorded survey plan of the above described premises.

Parcel 3. A certain parcel of land, now or formerly owned by Robert G. Mason and Anne S. Mason, Trustees of Beaman Realty Trust, and

Beginning at a corner of walls at the southernmost corner of land, on Beaman Road, now or formerly, of Annie A. Beaman, said corner being located about 799 feet southerly from a corner of walls in the southerly line of Beaman Road, and being the southeasterly corner of land, now or formerly, of Frits & Birthe S. Lander, shown as Lot 1 upon the recorded survey plan cited at the conclusion of this description;

Thence N. 57° 30′ 00" E., 568 feet, more or less, partially by a stone wall, and all or in part by land, now or formerly, of Annie A. Beaman, to a point at the northernmost corner of the parcel herein being described, and land, now or formerly, of Alden G. Beaman;

Thence S. 30° 00′ 00" E., 2020 feet, more or less, by a fence line and a stone wall, partially by land, now or formerly, of Alden G. Beaman, and partially by land, now or formerly, of William S. Daly et ux, to a point in a corner of walls, at land, formerly of Wyatt Garfield et ux, now or formerly, of the Off Mirick Road Realty Trust, described below as Parcel 2, this corner being the easternmost corner of the parcel herein being described;

Thence S. 56° 30′ 00" W., 946 feet, more or less, by the wall and land described above as Parcel 2, to a point in a corner of walls at land, formerly of the Princeton Trust (O'Connor & Dean), late of the Richard B. Dean, Estate, and now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence N. 15° 00′ 00" W., 239 feet, more or less, by the wall to a point in a corner of walls;

Thence S. 69° 00′ 00" W., 300 feet, more or less, by the wall to a point in a corner of walls;

Thence N. 38° 30′ 00" W., 478 feet, more or less, by the wall to a point in a corner of walls;

Thence S. 58° 30′ 00" W., 1286 feet, more or less, by the wall to a corner of walls at land, now or formerly, of Warren O., Margaret C., Robert J., and Debra Thorell, the preceding four courses being by land of the Commonwealth of Massachusetts, MDC;

Thence N. 33° 00′ 00" W., 527 feet, more or less, by the wall to a point in a corner of walls;

Thence N. 60° 00′ 00" E., 360 feet, more or less, by the wall to a point in a corner of walls;

Thence N. 03° 00′ 00" W., 633 feet, more or less, by the wall to a point therein;

Thence N. 11° 30′ 00" W., 200 feet, more or less, to a drill hole in a corner of walls at the southernmost corner of land, now or formerly, of John M. & Heilak Vanderhorst, shown as Lot 4 upon the plan cited below, the last four courses being by land, now or formerly, of W.O. Thorell et als;

Thence N. 57° 30′ 00" E., 1265 feet, by the stone wall and lands, now or formerly, of J.M. & H. Vanderhorst, of Donna E. Bull, of Rene L. & Traude R. Kahlau, and of F. & B.S. Lander, shown as Lots 4,3,2, and 1 upon the plan cited below, to the first mentioned point in the corner of walls, being the point and place of beginning.

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Containing 83.5 acres, more or less, as shown as Lot 14 upon a plan entitled "Plan of Lots prepared for Chester C. Drury, Estate Princeton, Mass.", dated May 14, 1976, prepared by Michael S. Szoc, R.L.S., which plan is recorded with Worcester District Registry of Deeds as Plan 30 in Plan Book 426.

In addition to the last cited plan, the descriptions set forth above are derived from previous deed descriptions of the locus lots, deeds for lands conveyed out of said lots, deeds of abutters, and the following plans:

1) PLAN H-2936 R, DECREE 1478, the Worcester County Highway 1946 Record Layout of East Princeton Road-Route 31, as recorded with said Deeds as Plan 88 in Plan Book 140, Sheets 4 of 5 and 5 of 5. See instrument of taking recorded with said Deeds in Book 3011, Page 561; and

2) PLAN H-3114 R, DECREE 1478, the Worcester County Highway 1949 Record Layout of East Princeton Road-Route 31, as recorded with said Deeds as Plan 54 in Plan Book 162, Sheet 1 of 4. See instrument of taking recorded with said Deeds in Book 3214, Page 451.

The total area of the three parcels as described above and intended to be taken hereby and herein is estimated to be 158.6 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in East Princeton Road-Route 31, which may be held by the supposed owners as a result of their ownership of the above described premises, and including the fifty-foot (50') wide Right Of Way from Beaman Road to the premises described above as Parcel 3, shown upon the above cited recorded survey plan and encumbering land, now or formerly, of Frits & Birthe S. Lander, shown as Lot 1 on said plan, the three parcels described above being the same premises described in three deeds: the first, a deed from Robert G. Mason to Robert G. Mason as Trustee of East Princeton Realty Trust, dated November 10, 1992 and recorded with Worcester District Registry of Deeds at Book 14709, Page 182; the second, a deed from Robert G. Mason and Anne S. Mason to Robert G. Mason and Anne S. Mason, as Trustees of Off Mirick Road Realty Trust, dated 10th November 1992 and recorded with said Deeds at Book 14709, Page 203; and the third, a deed from Robert G. Mason and Anne S. Mason to Robert G. Mason

and Anne S. Mason as Trustees of Beaman Road Realty Trust, dated November 10, 1992 and recorded with said Deeds at Book 14709, Page 192.

The above described property is represented upon Princeton Assessors Tax Map 8 as Parcels 55, 54 and 43-7.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Robert G. Mason, as Trustee of East Princeton Road Realty Trust, Robert G. Mason and Anne S. Mason, as Trustees of Off Mirick Road Realty Trust, and Robert G. Mason and Anne S. Mason, as Trustees of Beaman Road Realty Trust	$ 1,000,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $1,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, March 13, recommending that the Commission adopt an Order of Taking for acquisition of approximately 24.3955 acres of land owned by Robert J. Tashjian, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $375,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 24.3955 acres of land owned by Robert J. Tashjian, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 19,1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northwesterly side of Prospect Street, northeasterly of Lost Oak Road, and southwesterly of Scarlett Street, more particularly bounded and described as follows:

Beginning at a Worcester County Highway bound found at the southeasterly corner of the parcel herein being described, at the southeasterly end of a stone wall, at a point on the northwesterly layout line of Prospect Street, and at land, formerly of Peter & Anna M. Bocomozo, now or formerly, of Hayden F. & Jane S. Estrada;

Thence Southwesterly, by the street line and a curve to the right, having a radius of 1372.26 feet, an arc distance of 157.02 feet, to a point of tangency;

Thence S. 46° 17′ 00" W., 506.09 feet, crossing an electrical easement, to a point in a stone wall, at other land, now or formerly, of Robert J. Tashjian;

Thence N. 81° 26′ 40" W., 282 feet, more or less, by the stone wall, the electrical easement, and other land, now or formerly, of R.J. Tashjian, to a point at the end of the wall and beginning of a wire fence;

Thence N. 42° 07′ 00" W., 132 feet, more or less, by the wire fence and other land, now or formerly, of R.J. Tashjian, again crossing the electrical easement, to a point at the southeasterly corner of land, formerly of C.B. Gunnar & Marion E. Grundberg, now or formerly, of Milton B. & Betty J. Ripley, in favor of whose land the electrical easement runs;

Thence On the same bearing, 390.36 feet, by land, now or formerly, of M.B. & B.J. Ripley, to a stone bound found at land, formerly of Raymond P. Harold, now or formerly, land of Eliot R. Freeman, shown as Lot 4R of the Lost Oak Road Subdivision upon the plan cited below;

Thence Still on the same bearing, 445.65 feet, by the northeasterly line of Lot 4R, to a point at Lot 7R, land, formerly of Raymond P. Harold, late of Eliot R. Freeman, and now or formerly, of Diran & Seta Apelian;

Thence Still on the same bearing, 62,50 feet, by the northeasterly line of Lot 7R, to a concrete bound found in a corner of Lot 7R, in a stone wall marking the southeasterly line thereof;

Thence N. 58° 09′ 30" E., 1047.75 feet, by the stone wall, partially by Lot 7R of the above cited subdivision, partially by land, now or formerly, of George & Paula Koury, and partially by land, now or formerly, of Richard L. & Shiela M. Yates, all of said abutting properties being formerly land of the aforesaid Raymond P. Harold, to a point in a corner of stone walls, at land, now or formerly, of H.F. & J.S. Estrada;

Thence S. 31° 48' 30" E., 1058.11 feet, by the stone wall and land, now or formerly, of H.F. & J.S. Estrada, to the first mentioned WCH bound in the northwesterly line of Prospect Street, being the point and place of beginning.

Containing, by CAD calculation, 24.3955 acres, more or less, based upon prior deed description and information shown upon the record survey plans cited below.

A plan entitled "Plan of Land in West Boylston, Mass. (Worcester County)", dated May 27, 1976, revised June 23, 1976 and May 23, 1978, prepared by Robinson & Fox, a Division of Boston Survey Consultants, Inc., James P. Lapsey R.L.S., which plan is recorded with Worcester District Registry of Deeds as Plan 63 in Plan Book 453.

A plan entitled "Plan of Portion of 'Green Pastures' West Boylston, Mass. Owned By R.P. Harold & UX.", dated May '51, prepared by Robinson Engineering, Inc., which plan is recorded with said Deeds as Plan 29 in Plan Book 194.

A plan entitled "Plan of Land Located In West Boylston, Massachusetts Owned By Eliot R. Freeman 594 Hanover Center Road Hanover, N.H.", dated January 6, 1996, prepared by James B. Kalloch, R.L.S., which plan is recorded with said Deeds as Plan 47 in Plan Book 701.

The above described property is represented upon West Boylston Assessors Tax Map 148 as Parcel 19.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Robert J. Tashjian	24.3955 acres, more or less

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described and being most of the same premises described as Tract II in a deed from the First National Bank of Boston, Charlotte I.H. Druce, Ruth H. Zollinger and Kleber A. Campbell, Jr., as The Raymond P. Harold Trust of March 20, 1970, to Robert J. Tashjian, dated July 11, 1978, and recorded with Worcester District Registry of Deeds in Book 6519, Page 136.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, (except as necessary for that portion of the premises designated upon the plan as the unrestricted area).

3. No septic systems or leach fields shall be permitted.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted except as follows. Dr. Tashjian, and his successors in interest, will be allowed to use chemical fertilizers on the remainder of the field so long as the chemical fertilizers are (a) applied based upon annual soil testing, and (b) by using NRCS/MDC Best Management Practice (BMP) guidelines. Dr. Tashjian, and his successors in interest, will retain the right to lime the field as necessary.

6. No tillage. Dr. Tashjian, and his successors in interest, are allowed to reseed the field from time to time using a no-till method of seeding. Under no circumstances will the land will be tilled by turning the sod.

7. No grazing or sheltering of livestock or animals shall be permitted.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

9. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

10. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land; nor will the restricted land be further divided or subdivided.

11. The steep slope adjacent to the pond will be planted with coniferous trees. The MDC Division of Watershed Management may assist in procuring and planting the trees on this area of 15,000 square feet, more or less. Dr. Tashjian, and his successors in interest, retain the right to cut back undergrowth and brush around the pond and area surrounding the spillway.

12. Dr. Tashjian, and his successors in interest, retain the right to cut back the woody growth along edge of the field to the original wall or fence line as necessary. There will be no expansion of the original field configuration or dimension.

13. The MDC Division of Watershed Management may assist in the installation of a gate at the one access point to this property on Prospect Street. Dr. Tashjian, and his successors in interest, specifically reserve the right to fence the property to discourage access by the general public. Dr. Tashjian, and his successors in interest, agree to post the property with signs that may be designed and supplied by the MDC Division of Watershed Management.

14. Dr. Tashjian, and his successors in interest, retain the right to maintain and repair the existing access road from Prospect Street to the field. No additional road construction will be permitted on the restricted property, nor will the present road be paved with an impervious material.

15. Dr. Tashjian, and his successors in interest, remain responsible for the maintenance and upkeep of the existing dam and spillway for Carroll's Pond. Dr. Tashjian, and his successors in interest, shall not upgrade or reactivate the old pump house facility on the pond's edge for pumping purposes, but shall retain the right to maintain or remove the pump house structure for aesthetic reasons.

16. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Rober J. Tashjian	$ 375,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $375,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:40 a.m., to meet on Thursday, April 2, 1998, at 9:00 a.m.

William J. Cronin
Secretary

Record of the Three Thousand Eight Hundred and Forty Sixth (3846th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 2, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on March 12, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated April 2, 1998, to Contract No. WM97-091-X1A, with Worcester County Conservation District to Provide Pure Water Stewardship Program Intern Services.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Abounaja, March 25, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, to furnish and install 1000 gallon precast concrete oil water separator - plus accessories at the MDC Stony Brook Garage in Hyde Park, at a cost of $15,760.75, on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities.
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 002-001 - furnish and install 1000 gallon underground fuel tank).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P95-1789-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $15,760.75.

3. Report of Messrs. Faucher, Brooks and Abounaja, March 25, recommending approval of the action of Acting Director Faucher in directing the Consultant to complete the work described in Amendment No. 2 and further recommending approval of Amendment No. 2 and No. 3, to Contract No. P95-1768-D2A, with Camp Dresser & McKee, Inc., for Licensed Site Professional (LSP) Services, as follows -
Amendment No. 2 - supplements IRA, supplements Phase II Scope of Work, authorized preparation of Phase II Report and the preparation of Phase II Report on Supplemental Work. Total Cost - $273,547.00.
Amendment No. 3 - implement modified RAM Plan and implement golf course IRA Plan. Total Cost - $33,788.00.
Account No. 2490-8910.
The Commission V O T E D: to approve the action of Acting Director Faucher in directing the Consultant to complete the work described in Amendment No. 2 on Contract No. P95-1768-D2A.

The Commission further V O T E D: to approve Amendment No. 2, in the amount of $273,547.00 and Amendment No. 3, in the amount of $33,788.00.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Mr. Faucher and Ms. Pomorska, March 20, recommending approval of revisions in quantities on the following items on Contract No. P96-1837-M1A, with Coviello Electric and General Contracting Co., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts -

Item No. 004-010 Labor Rate Control Technician	$ 6,400.00
Item No. 004-020 Labor Rate Licensed Electrician	$ 4,450.00
Item No. 006-020 Vehicle Signal Head Sec. 12	$ 1,800.00
Total =	$12,650.00

Account No. 2444-9001
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Jackson, March 9, on bids for 1998 Parkway Landscape Improvements, Contract No. P92-1628-C7A. (Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of Foye & Letendre Landscaping, Inc., of $328,810.00).
The Commission V O T E D: to accept the lowest bid received, that of Foye & Letendre Landscaping, Inc., of $328,810.00.

3. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, March 27, recommending approval of revisions in quantities on the following items on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park -

Item No. 013-030 - Drain Manhole	$ 1,980.00
Item No. 013-070 - 6-Inch PVC Under Drain	$14,300.00
Item No. 015-040 - 1-Inch Copper Water Service	$ 1,320.00
Item No. 039-150 - Precast Concrete Service Box	$ 2,640.00
Total =	$20,240.00

Account No. 2449-6033.
The Commission V O T E D: Approved.

4. Report of Mr. Faucher and Ms. Graves-Jones, March 26, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1958-C1A, for Reconstruction of Traffic Signal System - VFW Parkway at Corey Street, West Roxbury.
Time for Performance - seven months.
Estimated Cost - $360,000.00.
Account No. 2490-9617.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1958-C1A, for Reconstruction of Traffic Signal System - VFW Parkway at Corey Street, West Roxbury.

5. Report of Mr. Faucher and Ms. Pomorska, March 26, on bids for

Installation of Traffic Signal Systems, Day Boulevard at O and P Streets, South Boston, Contract No. P98-1929-C1A.
(Mr. Faucher and Ms. Pomorska recommend acceptance of the lowest bid received, that of Coviello Electric & General Contracting Co., Inc., of $141,796.00).
The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric & General Contracting Co., Inc., of $141,796.00.

1. Report of Messrs. Faucher, Brooks and Park, March 27, on bids for Sandblast and Paint Pools: Waltham, Chelsea, Somerville (Dilboy) and Melrose, Contract No. P98-1946-C1A.
(Messrs. Faucher, Brooks and Park recommend acceptance of the lowest bid received, that of Prime Coatings, Inc., of $230,400.00).
Messrs. Faucher, Brooks and Park further request that the Commission execute the Contract.
The Commission V O T E D: to accept the lowest bid received, that of Prime Coatings, Inc., of $230,400.00.
The Secretary then submitted for signature Contract No. P98-1946-C1A, dated April 2, 1998, with Prime Coating, Inc., which was signed by the Commissioner and three Associate Commissioners.

2. Report of Messrs. Faucher and Higgott, March 12, requesting approval of Amendment No. 2, to Contract No. P94-1712-D1A, with Metcalf & Eddy, for George's Island Seawall Restoration, which extends the time of performance from July 1, 1998 through October 31, 1999 and increases compensation by $7,797.00, for preparation of Environmental Notification Form.
Account No. 2440-8889.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Jackson, March 26, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P89-1561-C8A, for 1998 Cherry Tree Planting.
Estimated Cost - $10,000.00.
Time for Performance - two months.
Account No. 2448-0052.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P89-1561-C8A, for 1998 Cherry Tree Planting.

4. Report of Messrs. Faucher, Brooks and Park, March 31, requesting that the Commission amend its vote of March 12, 1998, approving and authorizing advertisement of Contract No. P98-1952-C1A, to Furnish and Install Three (3) Steel In-Line Dasherboard Systems for Outdoor Rollerblading, by increasing construction cost from $180,000.00 to $210,000.00, for relocating South Boston site due to existing field constraints.
Account No. 2440-8952.
The Commission V O T E D: to amend its vote of March 12, 1998, approving and authorizing advertisement of Contract No. P98-1952-C1A, to Furnish and Install Three (3) Steel In-Line

Dasherboard Systems for Outdoor Rollerblading, by increasing construction cost from $180,000.00 to $210,000.00, for relocating South Boston site due to existing field constraints.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, March 20, submitting for approval an Amendment to Contract with Berkshire-Pioneer Resource Conservation and Development Area, Inc., which extends time of performance from June 30, 1998 to June 30, 1999 and increases the scope of services to include planning and performing professional forest watershed conference activity.
Cost not-to-exceed - $5,000.00.
Account No. 2420-1400.
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Baratta, March 23, requesting approval of an increase in value on Contract No. WM91-061-C1A, with Roads Corporation, for Fast Track Sewer Construction, from $6,461,330.80 to $7,101,648.20 - an increase of $640,267.40, to include additional sewer work needed in the Bullard Street area of Holden.
Account No. 2420-7961.
The Commission V O T E D: to approve an increase in value on Contract No. WM91-061-C1A, with Roads Corporation, for Fast Track Sewer Construction, from $6,461,330.80 to $7,101,648.20 - an increase of $640,267.40, to include additional sewer work needed in the Bullard Street area of Holden.

3. Report of Messrs McGinn and Vignaly, March 3, requesting approval of an extension of time, from April 30, 1998 to June 15, 1998, due to the frozen condition of the reservoir, on Contract No. WM95-051-S1A, with ENSR (Fugro East, Inc.), for Gates Brook Treatment Feasibility Plan.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

4. Report of Messrs. McGinn and Robert O'Connor, March 16, recommending the following on Contract No. WM97-089-S1A, with Department of the Interior, U.S.G.S., for Wetlands Classification -
(a) That work be accepted as completed as of September 30, 1997.
(b) That Final Payment, in the amount of $33,000.00, be approved for payment.
(Basis of Award - $50,000.00)
(Amount to Date - $50,000.00)
(Contract Performance Rating - 9.50 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of the Department of the Interior, U.S.G.S., Contractor under Contract No. WM97-089-S1A, be and hereby is accepted as completed as of September 30, 1997.
The Commission further V O T E D: to approve Final Payment, in the amount of $33,000.00 for payment.

1. Report of Messrs. McGinn and Baratta, March 19, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. WM98-061-C1A (97-4W), for Sewer Construction Project Phase III, West Boylston.
Estimated Cost - up to $7,000,000.00.
Estimated Time for Performance - twenty three months.
Account No. 2420-7961.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM98-061-C1A (97-4W), for Sewer Construction Project Phase III, West Boylston.

2. Report of Mr. Pula, March 18, submitting for approval season and fee schedule for the 1998 fishing season at Quabbin Reservoir.
The Commission V O T E D: to approve the Quabbin Boat Fishing and Fee Schedule for the 1998 fishing season at Quabbin Reservoir, as follows -

A. FISHING SEASON DATES

The season, weather permitting, for boat and shore fishing will be as follows:
- Boat Launch Area #1 (Gate 8), Boat Launch Area #2 (Gate 31), and Boat Launch Area #3 (Gate 43) will open on Saturday, April 11 and close on Saturday, October 10, 1998.

B. DAYS OPEN

All three Boat Launch Areas will be open seven days per week and a limited number of boats and motors will be available for rental at each area.

C. OPENING HOURS

-April 11 - 5:00 A.M. (due to large crowds on first weekend)
-April 12 - October 10: 6:00 A.M.

D. CLOSING HOURS - BOATS OFF WATER

-April 11 - May 3: 6:00 P.M.
-May 4 - August 31: 7:00 P.M.
-August 31 - October 10: 6:30 P.M.

E. BOAT RENTAL RATES

Rentals	Minimum	Maximum (8+ hrs.)	Deposit
Boat	$ 2.00	$ 7.00	$ 7.00
Motor (inc. 3 gallons gas)	$ 8.00	$20.00	$20.00
Total	$10.00	$27.00	$27.00

Senior Citizens (65 or older) Monday through Friday except Holidays.
Handicapped Citizens pay half price at all times.

Rentals	Minimum	Maximum (8+hrs.)	Deposit
Boat	$ 1.00	$ 3.50	$ 3.50
Motor (inc. 3 gallons gas)	$ 4.00	$10.00	$10.00
Total	$ 5.00	$13.50	$13.50

F. PARKING/LAUNCHING FEES

Parking: Per Vehicle $2.00
Senior Citizens/ Handicapped Citizen $1.00

Private Boat Launching: Per Person $2.00
Senior Citizen/ Handicapped Citizen $1.00.

1. Report of Messrs. McGinn and Vignaly, March 30, recommending the following on Contract No. WM97-027-S1A, with U.S. Department of the Interior, Geological Survey, for Stream Gauging and Well Monitoring -
(a) That work be accepted as completed as of September 30, 1997
(b) That Invoice No. 4 (Final), in the amount of $9,493.00, be approved for payment.
(Basis of Award - $37,970.00)
(Amount to Date - $37,970.00)
(Contract Performance Rating - 8.00 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of the U.S. Department of the Interior, Geological Survey, Contractor under Contract No. WM97-027-S1A, be and hereby is accepted as completed as of September 30, 1997.
The Commission further V O T E D: to approve Invoice No. 4 (Final), in the amount of $9,493.00.

2. Report of Messrs. McGinn and Robert O'Connor, March 26, requesting approval of Interagency Service Agreement with the University of Massachusetts Department of Forestry and Wildlife Management, Amherst, for the completion of Rare Species Mapping and Inventory on the Division's 100,000 acres of land.
Time of Performance - April 15, 1998 to June 30, 2000.
Cost not-to-exceed - $120,000.00.
Account No. 2420-1400.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien, March 20, recommending approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Contracts with two artists for Installation of Art Work at Revere Landing Park, as follows -
Paul Matisse - Contract No. PL98-054-X1A, to construct and install an interactive musical sculpture on the rail of the pedestrian walkway that runs parallel to the Dam Pumping Station - at a cost of $60,000.00 - Duration through June 30, 1999.
Susan Gamble - Contract No. PL98-053-X1A, to fabricate and install tile work that is set into various stone site walls and stone structures throughout the park - at a cost of $80,000.00 - Duration - through December 31, 1998.
Account No. 2449-6033.
The Commission V O T E D: Approved as recommended by Mrs. O'Brien in her report of March 20, 1998.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. PL98-054-X1A with Paul Matisse and Contract No. PL98-053-X1A with Susan Gamble, for Installation of Art Work at Revere Landing Park.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, March 30, on behalf of the Consultant Selection Committee requesting approval of the selection of GZA GeoEnvironmental, Inc., for Contract No. WM96-010-S1A, for Inspection of Division of Watershed Management Dams - Compensation - Estimated at $65,000.00 - subject to negotiation. Time for Performance - Estimated at four months. Account No. 2420-8881.
The Commission V O T E D: to approve the selection of GZA GeoEnvironmental, Inc., for Contract No. WM96-010-S1A, for Inspection of Division of Watershed Management Dams.

2. Report of the Concession Selection Committee, April 1, recommending award of the Food Service Concession at the Hatch Memorial Shell, Charles River Esplanade, Boston to Boston Concession Group, Inc., for a period of five (5) years.
The Commission V O T E D: to award the Food Service Concession at the Hatch Memorial Shell, Charles River Esplanade, Boston to Boston Concession Group, Inc., for a period of five (5) years.

Adjourned at 10:40 a.m., to meet on Thursday, April 16, 1998, at 9:00 a.m.

William F. Cruse
Secretary

Record of the Three Thousand Eight Hundred and Forty Seventh (3847th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 26, 1998 at 11:30 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on March 19, 1998 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement No. WM98-026-S1A, dated April 16, 1998, with University of Massachusetts, Amherst, Department of Civil and Environmental Engineering, for Project Continuation - Development of Methods to Differentiate Microorganisms in MDC Watersheds.

2. Contract-Agreement No. WM98-028-S1A, dated April 16, 1998, with University of Massachusetts, Amherst, Department of Civil and Environmental Engineering, for Project Continuation: Water Quality in MDC Reservoirs: Organic Matter, Algae and Modeling.

3. Contract No. P92-1628-C7A, dated April 16, 1998, with Foye & Letendre Landscaping, Inc., for 1998 Parkway Landscape Improvements.

4. Contract No. P98-1929-C1A, dated April 16, 1998, with Coviello Electric & General Contracting Co., Inc., for Installation of Traffic Signals Systems, Day Boulevard at O and P Streets, South Boston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher, Brooks and Mayhew, March 4, recommending approval of revisions in quantities on the following items on Contract No. PL92-017-C2A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration Phase 1B -

Item No. 02100-1	**$22,000.00**
Bituminous Removal	
Item No. 02200-1	**$25,800.00**
Gravel Borrow	
Item No. 02200-2	**$ 4,000.00**
Dense Graded Crushed Stone	
Item No. 02200-5	**$ 2,400.00**
Ordinary Borrow On-Site Sources	
Item No. 02200-7	**$18,750.00**
Unclassified Excavation	
Item No. 02200-9	**$ 2,000.00**
Filter Fabric	
Item No. 02500-3	**$ 3,125.00**
Granite Curb Straight	
Item No. 02500-7	**$ 750.00**
Granite Curb Reset	

Item No. 02500-13 **$11,000.00**
Stone Dust
Item No. 02800-17 **$ 6,000.00**
Wood Boardwalk Edge Condition, 'A'
Item No. 02800-24 **$ 2,200.00**
Pinned $125.00 each - F'd't' n Footings
Item No. 02800-25 **$ 400.00**
Helical Pier Footings

Total = $98,425.00

Account No. 2490-0017.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Mayhew, February 19, recommending the following on Contract No. P97-1894-C1A, with G & R Construction, Inc., for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston -
(a) That work be accepted as completed as of December 30, 1997.
(b) That Estimate No. 7 (Final), in the amount of $106,658.30, be approved for payment.
(c) That reserve, in the amount of $43,115.75, be approved for payment.
(Basis of Award - $759,604.00)
(Amount to Date - $862,314.90)
(Contract Performance Rating - 4.00)
(EEO Compliance - 2.83)
The Commission V O T E D: that the work of G & R Construction, Inc., Contractor under Contract No. P97-1894-C1A, be and hereby is accepted as completed as of December 30, 1997.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of $106,658.30, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $43,115.75, for payment.

2. Report of Messrs. Faucher, Brooks and Mayhew, January 28, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - for various hardware, electrical and plumbing work necessary to remove unforseen conditions encountered during renovation work - at a cost of $13,532.91, on Contract No. P97-1874-C1A, with G.V.W. Incorporated, for Improvements to the William A. Connell Ice Skating Rink and Swimming Pool, Weymouth.
Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1 on Contract No. P97-1874-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $13,532.91.

2. Report of Messrs. Faucher, Brooks and Mayhew, December 28, 1997, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 2 - for removing and replacing 6" transite pipe - at a cost of $1,055.75; regrading, paving around the new zamboni garage - at a cost of $5,735.46; excavate trench, backfill and patch - at a cost of $3,384.94, and installation of new 6" cast iron pipe under zamboni garage - at a

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cost of $1,788.44 - Total Cost - $11,964.59, on Contract No. P97-1874-C1A, with G.V.W. Incorporated, for Improvements to the William A. Connell Ice Skating Rink and Swimming Pool, Weymouth. Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 2 on Contract No. P97-1874-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $11,964.59.

1. Report of Messrs. Faucher, Brooks and Mayhew, January 28, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 3 - for removal of asbestos laden demolition debris - at a cost of $29,561.00; swipe testing - at a cost of $591.22, and final air clearance testing - at a cost of $453.97 - Total Cost - $30,606.19, on Contract No. P97-1874-C1A, with G.V.W., Incorporated, for Improvements to the William A. Connell Ice Skating Rink and Swimming Pool, Weymouth. Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 3 on Contract No. P97-1874-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $30,606.19.

2. Report of Messrs. Faucher, Brooks and Mayhew, January 8, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 4 - for additional work performed by T. L. Plumbing and Heating, plumbing sub-contractor - at a cost of $11,094.59, on Contract No. P97-1874-C1A, with G.V.W., Incorporated, for Improvements to the William A. Connell Ice Skating Rink and Swimming Pool, Weymouth.
Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 4 on Contract No. P97-1874-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $11,094.59.

3. Report of Messrs. Faucher, Brooks and Mayhew, February 4, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 5 - for performing additional electrical work - at a cost of $5,107.50, on Contract No. P97-1874-C1A, with G.V.W., Incorporated, for Improvements to the William A. Connell Ice Skating Rink and Swimming Pool, Weymouth. Account No. 2440-9800.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 5 on Contract No. P97-1874-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $5,107.50.

4. Report of Messrs. Faucher and Lenhardt, April 9, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No.

P98-1962-C1A, for Rehabilitation of Electric Motors, Beades Drawbridge, Boston.
Estimated Cost - $30,000.00.
Time for Performance - two months
Account No. 2490-8911.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1962-C1A, for Rehabilitation of Electric Motors, Beades Drawbridge, Boston.

1. Report of Messrs. Faucher and Jackson and Miss Overton, April 6, on bids for Boston Harbor Beaches Program: Rehabilitation of Constitution Beach, East Boston, Contract No. P95-1783-C1A. (Messrs. Faucher and Jackson and Miss Overton recommend acceptance of the lowest bid received, that of B & E Construction Corporation, of $4,406,153.80).
The Commission V O T E D: to accept the lowest bid received, that of B & E Construction Corporation, of $4,406,153.80.

2. Report of Messrs. Faucher and Martinez, March 4, recommending the following on Contract No. P98-1933-C1A, with D'Allesandro Corporation, for Sewer Building Line Connection at Emmons-Horrigan-O'Neill Memorial Skating Rink, Charlestown -
(a) That work be accepted as completed as of December 8, 1997.
(b) That Estimate No. 1 (Final), in the amount of $21,307.83, be approved for payment.
(c) That reserve, in the amount of $1,121.47, be approved for payment.
(Basis of Award - $19,471.79)
(Amount to Date - $22,429.30)
(Contract Performance Rating - 3.00)
(EEO Compliance - 4.20)
The Commission V O T E D: that the work of D'Allesandro Corporation, Contractor under Contract No. P98-1933-C1A, Contractor under Contract No. P98-1933-C1A, be and hereby is accepted as completed as of December 8, 1997.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $21,307.83, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,121.47, for payment.

3. Report of Messrs. Faucher and Brooks, April 3, recommending approval of the request of the contractor to engage the services of South Shore Fence Company, Inc., as sub-contractor for chain link fencing - at a value of $8,350.00 and for an extension of time from February 20, 1998 to April 20, 1998 on Contract No. P97-1906-C1A, with Multitemp Mechanical Corp., for Replacement of Dehumidifiers at Reilly Rink, Brighton, Shea Rink, Quincy, Bryan Rink, West Roxbury and Murphy Rink, South Boston.
The Commission V O T E D: to approve request of the contractor to engage the services of South Shore Fence Company, Inc., as sub-contractor for chain link fencing - at a value of $8,350.00.
The Commission further V O T E D: to approve an extension of time from February 20, 1998 to April 20, 1998, as recommended by

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Messrs. Faucher and Brooks in their report of April 3, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks, Kane and Haider, April 9, requesting approval of the action of Acting Director Faucher resulting in cancellation of Project No. P98-1923-C1A, for Relocation and Construction for the Backflow Preventer, Hull, as the sub-bids received for the masonry work were not acceptable. (Messrs. Faucher, Brooks, Kane and Haider further request authorization to readvertise the project as Contract No. P98-1923-C2A - Relocation and Construction for the Backflow Preventer, Hull).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in cancellation of Project No. P98-1923-C1A, for Relocation and Construction for the Backflow Preventer, Hull, as recommended by Messrs. Faucher, Brooks, Kane and Haider in their report of April 9, 1998.
The Commission further V O T E D: authorization to readvertise the project as Contract No. P98-1923-C2A - Relocation and Construction for the Backflow Preventer, Hull.

2. Report of Messrs. Faucher and Machado, April 9, on bids for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing Various Locations Throughout the Metropolitan Area, Contract No. P97-1918-C1A.
(Messrs. Faucher and Machado recommend rejection of the lowest bid, that of J. J. Phelan and Son Co., Inc., of $676,087.00, due to submittal of an incomplete bid - failure to insert unit prices on page 19 of the bid proposal.
They further recommend acceptance of the second lowest bid received, that of D & R General Contracting, Inc./MDR Construction Co., Inc., of $715,743.64).
The Commission V O T E D: to reject of the lowest bid received, on Contract No. P97-1918-C1A, that of J. J. Phelan and Son Co., Inc., of $676,087.00.
The Commission further V O T E D: to accept the second lowest bid received, that of D & R General Contracting, Inc./MDR Construction Co., Inc., of $715,743.64, as recommended by Messrs. Faucher and Machado in their report of April 9, 1998.

3. Report of Messrs. Faucher, Carrigan and Machado, April 10, on bids for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area, Contract No. P97-1920-C1A.
(Messrs. Faucher, Carrigan and Machado recommend acceptance of the lowest bid received, that of D & R General Contracting, Inc./MDR Construction Company, Inc., of $1,797,887.34).
The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting, Inc./MDR Construction Company, Inc., of $1,797,887.34.

Action was taken upon the following matters relating to the Watershed Management Division:

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1. Report of Messrs. McGinn and Robert O'Connor, April 7, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Bosse Logging, of $4,750.00; to purchase approximately 45,506 board feet of timber, 118 cords of firewood and 47 cords of pulp on Timber Lot No. 148 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of John Ducat, of $10,191.00; to purchase approximately 75,495 board feet of timber, 28 cords of firewood and 27 cords of pulp on Timber Lot No. 149 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of New England Forest Products, of $9,460.00; to purchase approximately 76,405 board feet of timber, 76 cords of firewood and 175 tons of pulp on Timber Lot No. 260A - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Tim Robinson, of $12,162.48; to purchase approximately 72,700 board feet of timber, 233 cords of firewood and 99 tons of whole tree wood on Timber Lot No. 266 - Ware River Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of T. Jepson & Son, of $2,325.00; to purchase approximately 19,637 board feet of timber, 135 cords of firewood and 850 tons of whole tree wood on Timber Lot No. 267 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Tim Robinson, of $14,132.96; to purchase approximately 93,980 board feet of timber, 370 cords of firewood and 15 tons of pulp on Timber Lot No. 769A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprise, of $12,851.00; to purchase approximately 134,181 board feet of timber, 13 cords of firewood and 186 tons of pulp on Timber Lot No. 770A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Nelson Malin, of $450.00; to purchase approximately 112 cords of firewood on Timber Lot No. 796A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Leclerc & Son, of $8,267.00; to purchase approximately 122,800 board feet of timber, 73 cords of firewood and 360 tons of whole tree wood on Timber Lot No. 801 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the second highest qualified bid, that of Green Meadow Lumber, of $7,660.00; to purchase approximately 61,880 board feet of timber and 248 cords of firewood on Timber Lot No. 802 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Wagner Wood, of $12,655; to purchase approximately 78,700 board feet of timber on Timber Lot No. 803 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the second highest qualified bid, that of Tim Robinson, of $18,574.00; to purchase

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approximately 209,881 board feet of timber, 470 cords of firewood, 139 cords in tops and 15 tons of pulp on Timber Lot No. 804 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Tim Robinson, of $40,134.94; to purchase approximately 260,363 board feet of timber, 177 cords of firewood, 100 cords in tops and 29 tons of pulp on Timber Lot No. 805 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprise, of $23,101.00; to purchase approximately 267,754 board feet of timber and 117 tons of pulp on Timber Lot No. 806 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the second highest qualified bid, that of Tim Robinson, of $3,454.82; to purchase approximately 42,115 board feet of timber and 148 cords of firewood on Timber Lot No. 807 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Puffer Forest Industries, of $4,999.98; to purchase approximately 100 cords of firewood on Roadside Sale No. 59 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Robert O'Connor, April 3, requesting authorization for Mr. McGinn to issue a one year site remediation and use permit to Terrill Wright, for MDC land, Maple Street, Marlborough.
The Commission V O T E D: authorization for Mr. McGinn to issue a one year site remediation and use permit to Terrill Wright, for MDC land, Maple Street, Marlborough.

2. Report of Messrs. McGinn and Kane, March 24, recommending the following on Contract No. WM98-076-C1A, with United Electric Company, Inc., for Electric Power Connection, Maintenance Yard, Clinton -
(a) That work be accepted as completed as of December 28, 1997.
(b) That Estimate No. 1 (Final), in the amount of $10,640.00, be approved for payment.
(c) That reserve, in the amount of $460.00, be approved for payment.
(Basis of Award - $ 9,200.00)
(Amount to Date - $11,100.00)
(Contract Performance Rating - 5.00)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of United Electric Company, Inc., Contractor under Contract No. WM98-076-C1A, be and hereby is accepted as completed as of December 28, 1997.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $10,640.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $460.00, for payment.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien, April 8, submitting for approval Work Schedule, Project Summary, Project Justification and requesting

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authorization to advertise Project No. PL92-017-D2A, for Upper Charles River Reservation - Phase III Design Services.
Estimated Cost - $200,000.00.
Estimated Time for Performance - twenty four months.
Account No. 2490-0017.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matter:

1. Report of the Concession Selection Committee, April 9, recommending award of the Food Service Concession at Ponkapoag Golf Course, Canton to Arrowhead Foods, Inc., for a period of five (5) years.
The Commission V O T E D: to award of the Food Service Concession at Ponkapoag Golf Course, Canton to Arrowhead Foods, Inc., for a period of five (5) years.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Action was taken upon the following matters relating to the Office of Real Property:

ting of
2.14.98
Commission
D: to approve
temporary
permit a
Boat Ouchan
for operation
of an outdoor
food concession
until such
time as a
Permit is
awarded and
executed for
permanent Concession
at Ponkapoag
Golf Course under
Commission Jurisdiction
TED: to reject the
vote of 4.16.98 awarding
the food service concession
D Ponkapoag Golf Course to
Arrowhead Foods Inc
e Commission Jurisdiction
TED: to reject all other
proposals submitted for
ld Concession
e Commission Jurisdiction
TED to authorize the
ession Selection Committee
solicit new proposals for
e Concession

1. Report of Mr. Gray, April 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 73.21 acres of land owned by Joseph W. Listowich, Jr., and Judith L. Peasha, Trustees of Listowich Family Realty Trust, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $690,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 73.21 acres of land owned by Joseph W. Listowich, Jr., and Judith L. Peasha, Trustees of Listowich Family Realty Trust, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, April 16, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of the "Old County road to Westminster", off of the southerly side of Taft Farm Road, and abutting the westerly layout line of Interstate Route 190, more particularly bounded and described as follows:

Beginning at a drill hole found in a corner of stone walls, at a point in the easterly line of the "Old County road to Westminster", said drill hole marking the southwesterly corner of the parcel herein being described, and the northwesterly corner of the abutting land, now or formerly, of Chester Burzenski and Eleanor Sendrowski, Trustees of the Burzenski Family Trust;

Thence N. 03° 40′ 52" W., 186.24 feet, by the road, the stone wall, and through the gate to a point in the wall at the northerly terminus of the road;

Thence S. 86° 19′ 08" W., 19.48 feet, by the southerly terminus of the discontinued portion of the road, to a point in the middle of the former roadbed, and at land, now or formerly, of William J. Burzenski;

Thence N. 03° 40′ 52" W., 157.22 feet, through the middle of the former roadbed, to a point at a turn therein;

Thence N. 21° 39′ 53" W., 277.78 feet, through the middle of the former roadbed, to a point at a turn therein;

Thence N. 47° 57′ 00" W., 96.40 feet, through the middle of the former roadbed, to a point at a turn therein, at land, now or formerly, of Paul E. & Margaret T. Jackson, the last three courses being by land, now or formerly, of W.J. Burzinski;

Thence N. 26° 30′ 16" E., 25.69 feet, through the former roadbed, to an iron pipe found, at an angle in the stone wall delineating the easterly line of the discontinued road, marking the original southeasterly corner of land, now or formerly, of P.E. & M.T. Jackson;

Thence N. 00° 56′ 06" E., 95.78 feet, by the wall to a point therein;

Thence N. 00° 06′ 50" W., 118.53 feet, by the wall to a point therein;

Thence N. 00° 15′ 56" W., 282.97 feet, by the wall to a drill hole found in a corner of walls, at the southeasterly corner of land, now or formerly, of Jeffrey M. & Lynne Perry, Kenneth & Lisa Perry and Norman & Carol Perry, the last three courses being by land, now or formerly, of P.E. & M.T. Jackson;

Thence N. 39° 10′ 20" E., 421.62 feet, by the stone wall, to a point therein;

Thence N. 38° 10′ 00" E., 204.90 feet, by the stone wall, to a drill hole found at an angle therein;

Thence N. 06° 09′ 51" E., 187.57 feet, by the stone wall, crossing Connelly Brook and running to a drill hole found at a point in the wall, near the northerly bank of the stream;

Thence N. 05° 40′ 43" E., 141.67 feet, by the stone wall, to a drill hole made in a corner of walls, at the northwesterly corner of the parcel being described herein and at the southwesterly corner of other land, now or formerly, of the Listowich Family Realty Trust, specifically excluded from the provisions of this taking and reserved to the supposed owners, their heirs and successors, the last four courses being by land, now or formerly, of the aforementioned J.M. & L. Perry et als;

Thence S. 81° 26′ 50" E., 82.87 feet, by the stone wall to a point, at a gap therein;

Thence N. 76° 56′ 06" E., 51.99 feet, crossing the gap to a drill hole made in a corner of walls;

Thence N. 56° 37′ 35" E., 114.76 feet, by the wall to a drill hole made in a wall corner;

Thence S. 58° 34′ 16" E., 353.97 feet, by the wall, across the barway, and continuing by the wall, to a point therein;

Thence S. 75° 02′ 51" E., 142.89 feet, by the wall, to a point therein;

Thence S. 63° 40′ 19" E., 68.55 feet, by the wall, to a drill hole made in a wall corner;

Thence N. 43° 42′ 39" E., 120.59 feet, by the wall, to a point therein;

Thence N. 47° 23′ 37" E., 78.10 feet, by the wall, to a point therein;

Thence N. 41° 59′ 18" E., 340.22 feet, by the wall, to a point therein;

Thence N. 22° 17′ 34" E., 39.00 feet, by the wall, to a point therein;

Thence N. 26° 25′ 38" E., 58.29 feet, by the wall, to a point therein;

Thence N. 28° 06′ 30" E., 55.64 feet, by the wall, to a drill hole made in a corner of walls;

Thence S. 63° 37′ 41" E., 188.30 feet, by the wall, to an iron pipe found at the northwesterly corner of land, now or formerly, of Thomas M. & Rebecca Johnson, the last thirteen courses being by other lands, now or formerly, of the Listowich Family Realty Trust;

Thence S. 65° 06′ 16" E., 171.58 feet, by the wall, to a point therein;

Thence S. 60° 35′ 41" E., 79.96 feet, by the wall, to a drill hole found in a wall corner, at the northwesterly corner of land, now or formerly, of Thomas H. & Christine J. Hanrahan, the last two courses being by land, now or formerly, of T,M, & R. Johnson;

Thence S. 34° 32′ 30" E., 89.27 feet, by the wall, to a point therein;

Thence S. 33° 21′ 18" E., 111.48 feet, by the wall, to a drill hole found in a wall corner;

Thence S. 33° 16′ 41" E., 125.77 feet, by the wall, to a point therein at the northwesterly corner of land, now or formerly, of the Conservation Commission of the Town of Sterling;

Thence S. 33° 01′ 19" E., 189.35 feet, by land, now or formerly, of the Sterling Conservation Commission, and the wall, crossing a small brook, to a drill hole found in a wall corner, at a corner of land, now or formerly, of Ronald E. & Laura W. Kidd;

Thence S. 41° 50′ 20" W., 154.29 feet, by the wall, to a point therein;

Thence S. 47° 11′ 19" W., 29.56 feet, by the wall, to a point therein;

Thence S. 57° 33′ 54" W., 90.92 feet, by the wall, to a point therein;

Thence S. 54° 30′ 24" W., 250.33 feet, by and through the wall segment, and partially by the barway therein, to a point, in the barway;

Thence S. 54° 06′ 38" W., 359.19 feet, through the barway and by the wall, to a drill hole made at an angle therein;

Thence N. 80° 03′ 20" W., 51.40 feet, by the wall and crossing Connelly Brook, to a point therein, at a property corner;

Thence S. 02° 03′ 20" E., 86.80 feet, to a point in the westerly line of the brook;

Thence S. 22° 56′ 40" W., 144.00 feet, by the westerly line of the brook, to a point;

Thence S. 09° 03′ 20" E., 189.50 feet, crossing and recrossing the brook and running to a point on the westerly bank at the remains of an old stone dam;

Thence S. 22° 33′ 20" E., 66.93 feet, along the westerly bank of the brook, to a point in the westerly line of Interstate Route 190, the last ten courses being by land, now or formerly, of R.E. & L.W. Kidd:

Thence S. 67° 50′ 13" W., 175.05 feet, to a stone bound with drill hole found;

Thence S. 16° 22′ 50" W., 466.03 feet, to another stone bound with drill hole found;

Thence S. 36° 36′ 24" W., 419.26 feet, to another stone bound with drill hole found;

Thence S. 13° 57′ 08" W., 221.49 feet, to another stone bound with drill hole found;

Thence S. 42° 53′ 35" W., 37.05 feet, to a point in a stone wall at the northeasterly corner of the abutting land, now or formerly, of the National Wildlife Federation Endowment, Inc., the last five courses being by the westerly layout line of Interstate Route 190;

Thence N. 58° 18′ 53" W., 51.46 feet, by the stone wall, to a point therein;

Thence N. 60° 35′ 20" W., 109.00 feet, by the stone wall and through the barway to a drill hole found at a point in the continuation of the wall, the last two courses being by land, now or formerly, of the National Wildlife Federation Endowment, Inc.;

Thence N. 62° 36′ 58" W., 240.65 feet, by the stone wall, partially by the last named abuttor, amd partially by land, now or formerly, of Chester Burzenski and Eleanor Sendrowski, Trustees of the Burzenski Family Trust, to a drill hole found at a point in the wall;

Thence N. 61° 50′ 43" W., 102.57 feet, by the wall, to a point therein;

Thence N. 62° 36′ 37" W., 131.86 feet, by the wall, to a point therein;

Thence N. 61° 40′ 33" W., 159.00 feet, by the wall, to the first mentioned drill hole in the stone wall corner, being the point and place of beginning, the last two courses being by land, now or formerly, of Chester Burzenski and Eleanor Sendrowski, Trustees of the Burzenski Family Trust.

Containing 73.21 acres as shown, as Parcel A, upon a plan entitled "Land In Sterling, Mass. Surveyed For Listowich Family Realty Trust", dated March 1998, prepared by David E. Ross Associates, Inc., David Edward Ross, P.L.S., which plan is attached hereto and incorporated herein as Exhibit "A."

The above described property is represented upon Sterling Assessors Tax Map 46 as the southerly portion of Lot 14.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in the "Old County road to Westminster, which may be held by the supposed owners as a result of their ownership of the above described premises, and being most of the same premises described in a deed from Joseph W. Listowich and Eleanor B. Listowich to Joseph W. Listowich and Eleanor B. Listowich as Trustees of the Listowich Family Realty Trust, dated November 11, 1977 and recorded with Worcester District Registry of Deeds in Book 6368, Page 53.

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The current trustees, Joseph W. Listowich, Jr. and Judith L. Peasha, were appointed by Joseph W. Listowich, surviving trustee, in an instrument dated June 10, 1992 and recorded with said Deeds on December 3, 1992, in Book 14764, Page 323. Eleanor B. Listowich died November 16, 1989: see Death Certificate recorded in Book 13507, Page 102. Joseph W. Listowich died October 22, 1992: see Death Certificate recorded in Book 14819, Page 111.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Joseph W. Listowich, Jr. and Judith L. Peasha, Trustees of the Listowich Family Realty Trust	$ 690,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $690,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 46 acres of land owned by Clayton F. Mosher, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $198,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: adopt an Order of Taking for acquisition of approximately 46 acres of land owned by Clayton F. Mosher, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, April 16, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Gleason Road in the Town of Princeton, containing approximately forty-six (46) acres, and being most of the same premises said to contain fifty-five (55) acres, more or less, as described as Tracts I and III in a deed from Evelyn G. Mosher et al, to Clayton F. Mosher, dated September 27, 1972, and recorded with Worcester District Registry of Deeds in Book 5266, Page 545. Being the same premises shown as "other land of Mosher" on the below-referenced plan.

Expressly excluded from the land restricted by this order, is the remaining portion of said premises containing approximately nine and one/tenths (9.1) acres, being bounded westerly by Gleason Road, northerly and easterly by the remaining land of said Mosher, and southerly by land of the Commonwealth of Massachusetts and land now or formerly of

U.S. Farms, Inc., being the same premises shown as a parcel with "AREA=9.1 ACRES" on a plan entitled "Plan of Land in Princeton, Mass., prepared for Clayton F. Mosher," dated April 15, 1998, and prepared by Andrysick Land Surveying, Inc., which plan is attached hereto and incorporated herein as Exhibit "A."

The above described property is represented upon the Princeton Assessors Tax Map 9 as a portion of Parcel 30.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Clayton F. Mosher	46 acres, more or less

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described and being most of the same premises described as Tracts I and III in a deed from Evelyn G. Mosher et al, to Clayton F. Mosher, dated September 27, 1972, and recorded with Worcester District Registry of Deeds in Book 5266, Page 545. The Commission hereby expressly grants to Clayton F. Mosher and his successors in interest, the right to continue to hay and reseed the restricted area, and use chemical fertilizers within said restricted area, subject to a two-hundred-foot buffer from the Stillwater River running adjacent to the easterly corner of said premises, subject further to the provisions of the NCRS/MDC Best Management Practices (BMP) guidelines, and subject further to the limitations and the express provisions set forth within this order.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises, except for the maintenance, repair, renovation, and replacement of existing structures, including the machinery shed and other accessory structures presently situated within said restricted area, and existing roads, ways, paths or portions thereof.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, except as necessary for that portion of the premises designated upon the plan as the unrestricted area, and also except as necessary to serve the aforementioned existing structures within said restricted area.

3. No septic systems or leach fields shall be permitted.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land. Mr. Mosher shall be premitted to regrade, loam, seed and reseed, that area within the easterly portion of said premises which formerly served as a gravel bank or pit.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted except as follows. Mr. Mosher and his successors in interest, shall be permitted to use chemical fertilizers on the remainder of the field outside any buffer area so long as the chemical fertilizers are (a) applied based upon annual soil testing, and (b) by using NRCS/MDC Best Management Practice (BMP) guidelines. Mr. Mosher and his successors in interest, shall retain the right to lime the field as necessary.

6. No tillage. Mr. Mosher and his successors in interest, shall be allowed to reseed the field from time to time using a no-till method of seeding. No cutting of vegetation or haying, and no use of fertilizers, shall be permitted within one hundred feet of Keyes Brook on said restricted land.

7. No grazing or sheltering of livestock or animals shall be permitted.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

9. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

10. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land. The restricted land shall not be further divided or subdivided without the written consent of the MDC Division of Watershed Management.

11. Mr. Mosher and his successors in interest, shall retain the right to cut back the woody growth along edge of the field to the original wall or fence line as necessary. There will be no expansion of the original field configuration or dimension.

12. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Clayton F. Mosher	$ 198,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $198,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 62.2 acres of land owned by Kenneth L. Poole, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $220,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 62.2 acres of land owned by Kenneth L. Poole, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, April 16, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain tract of land situated on the northerly side of East Princeton Road-Route 31, flowed by the waters of East Wachusett Brook, being part of the "Skinner Farm", and lying opposite land currently held by the Town of Princeton Department of Public Works, more particularly bounded and described as follows:

Beginning at the southeasterly corner of the parcel herein being described, at a point in a stone wall on the northerly line of the 1949 Worcester County Highway Record Layout of East Princeton Road-Route 31, at land, formerly of the heirs of John Chandler, late of Robert G. Mason and Anne S. Mason, Trustees of East Princeton Realty Trust, and now of the Commonwealth of Massachusetts, Metropolitan District Commission;

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Thence N. 57° E., 174 feet, more or less, by the stone wall and land, of the Commonwealth of Massachusetts, MDC, to a point at a corner of walls and land, formerly of Wilbur Powers, late of Robert G. & Anne S. Mason, Trustees of Off Mirick Road Realty Trust, and now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence N. 32° W., 2015 feet, more or less, by the wall and land of the Commonwealth of Massachusetts, MDC, to a point at another corner of walls, at land, formerly of Chandler & Houghton, late of the Estate of Richard B. Dean, and now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 60° W., 1324 feet, more or less, by the wall and land of the Commonwealth of Massachusetts, MDC, to a point at another corner of walls, at other land, formerly of Wilbur A. Powers, now or formerly, of one Garfield;

Thence S. 34° E., 413.5 feet, more or less, by the wall to a point at a corner in the wall;

Thence S. 55° W., 830 feet, more or less, by the wall, and crossing East Wachusett Brook, to a drill hole in a corner of walls at the northeasterly corner of land, now or formerly, of Robert L. Poole as shown as Lot 3 upon a plan entitled "Plan Of Lots In Princeton Owned By Leslie E. Poole, dated July 16, 1979, prepared by Rice Engineering, and recorded with said Deeds as Plan 88 in Plan Book 476, the last two courses being by land, now or formerly, of Garfield;

Thence S. 33° 08′ 09" E., 245.78 feet, by the wall and Lot 3, to a point at an angle in the wall;

Thence S. 01° 11′ 55" E., 65.96 feet, by the wall and Lot 3, to a point in the northerly line of the 1949 Worcester County Highway Record Layout of East Princeton Road-Route 31;

Thence Northeasterly by the line of the highway and along the arc of a curve to the right with a radius of 2430 feet, an arc distance of 303.19 feet to a Worcester County Highway bound;

Thence N. 74° 24′ 30" E., 718.92 feet, by the line of the highway, to a W.C.H. bound at a point of curvature;

Thence Northeasterly by the line of the highway and along the arc of a curve to the right with a radius of 1030.00 feet, an arc distance of 424.70 feet, to another W.C.H. bound;

Thence S. 81° 55′ 00" E., 120.08 feet, by the line of the highway, to a W.C.H. bound at a point of curvature;

Thence Southeasterly by the line of the highway and along the arc of a curve to the right with a radius of 1430.00 feet, an arc distance of 225.04 feet, to another W.C.H. bound;

Thence S. 72° 57′ 00" E., 320.81 feet, more or less, by the line of the highway, to a concrete bound at the southwesterly corner of land, now or formerly, of the American Telephone & Telegraph Company, as shown upon a plan entitled " Owner American Telephone & Telegraph Co., Station: Littleton L-6W Location: Princeton (Worcester Co.) Mass., dated May 1964, revised June 10, 1964, prepared by Charles A. Perkins Co., Charles A. Perkins, R.L.S., and recorded with said Deeds as Plan 114 in Plan Book 285;

Thence N. 17° 03′ 00" E., 200.00 feet, to a concrete bound at the northwesterly corner of the A.T.& T. Lot;

Thence S. 72° 57′ 00" E., 100.00 feet, to a concrete bound at the northeasterly corner of the A.T.& T. Lot;

Thence S. 17° 03′ 00" W., 100.00 feet, to a concrete bound at a corner of the A.T.& T. Lot;

Thence N. 72° 57′ 00" W., 50.00 feet, to a concrete bound at a corner of the A.T.& T. Lot;

Thence S. 17° 03′ 00" W., 100.11 feet, to a concrete bound at the southeasterly corner of the A.T.& T. Lot, said point being located southeasterly as measured along the arc of a curve to the right having a radius of 2430.00 feet, an arc distance

of 23.50 feet from a W.C.H. bound located on that portion of the northerly line of East Princeton Road-Route 31 which forms the frontage of the A.T.& T. Lot referenced above;

Thence Southeasterly by the line of the highway and along the arc of a curve to the right, having a radius of 2430.00 feet, an arc distance of 168.12 feet, to another W.C.H. bound;

Thence S. 68° 25' 53" E., 161.88 feet, more or less, by the line of the highway, to the point at the stone wall first mentioned, being the point and place of beginning.

Containing 62.6 acres, more or less, by estimation.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in East Princeton Road-Route 31, which may be held by the supposed owner as a result of his ownership of the above described premises, and being most of the same premises described in a deed from Leslie E. Poole to Kenneth L. Poole, dated April 23, 1997 and recorded with Worcester District Registry of Deeds in Book 18878, Page 30. See also Worcester Probate Docket No. 97RP3264EP1 for probate of the Estate of Leslie E. Poole.

The above premises are, with four exceptions, the same premises described in a deed from Carl A. Keyser and Dorothy M. Keyser to Leslie E. Poole and Margaret E. Poole, dated March 17, 1948, and recorded with said Deeds in Book 3110, Page 504. The exceptions are a 15,000-square-foot parcel conveyed to A.T. & T. in a deed dated October 7, 1964 and recorded with said Deeds in Book 4509, Page 63, and three contiguous lots of land shown as Lots 1, 2, and 3 upon a plan entitled "Plan Of Lots In Princeton Owned By Leslie E. Poole", dated July 16, 1979, prepared by Rice Engineering, Dennis C. Rice, P.L.S., which plan is recorded with said Deeds as Plan 88 in Plan Book 476.

The above described property is represented upon Princeton Assessors Tax Map 8 as Parcel 52.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Kenneth L. Poole, individually and as sole heir of Leslie E. Poole, deceased.	$ 220,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $220,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 41 acres of land owned by Herbert A. Nelson, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $103,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 41 acres of land owned by Herbert A. Nelson, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, April 16, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the southwesterly side of Redemption Rock Trail-Route 140, between said highway and Mirick Road, formerly known as the "Smith Pasture", and later as the "Dodd Pasture", more particularly bounded and described as follows:

Beginning at a heap of stones at the southwesterly corner of the parcel herein being described, at the northwesterly corner of land, formerly of Andrew L. Fitch, now or formerly, of one Wooten, and in the easterly line of land, formerly of Myron Bupton, now or formerly, of Marylyn Martin, said heap of stones being located about 2290 feet, more or less, from a point in a stone wall in the westerly layout line of Redemption Rock Trail-Route 140, being the southwesterly corner of land, formerly of Oliver Osgood, now or formerly, of Edith A. Johnston;

Thence Northerly, 97 rods, or 1600.5 feet, more or less, by land, formerly of Myron Bupton, now partially land, now or formerly, of Marylyn Martin, and partially land, now or formerly, of Louis J., Jr. & Mary A. Trostel, to a point;

Thence N. 80° E., 17 rods, or 280.5 feet, more or less, by land, formerly of M. Bupton, now or formerly, of L.J., Jr. & M.A. Trostel, to a heap of stones on the line of land, formerly of Roswell T. Osgood, now or formerly, of Edith A. Johnston;

Thence S. 55° E., 73.5 rods, or 1212.75 feet, more or less, by land, formerly of R.T. Osgood, now or formerly, of E.A. Johnston, to a point at land, formerly of Oliver Osgood, now or formerly, of Edith A. Johnston;

Thence Southerly, 70.5 rods, or 1163.25 feet, more or less, by land, formerly of O. Osgood, now or formerly, partially of E.A. Johnston, and partially of William A. & Pamela Lindquist, or owner unknown, to a heap of stones at the southeasterly corner of the parcel herein being described;

Thence N. 74° W., 48.5 rods, or 800.25 feet, more or less, by land, formerly of Andrew L. Fitch, now or formerly, of one Wooten, to a heap of stones at an angle;

Thence S. 89° 30′ W., 28 rods, more or less, or about 462 feet, by land, formerly of A.L. Fitch, now or formerly, of Wooten, to the first mentioned heap of stones, being the point and place of beginning.

Containing 41 acres, more or less, by estimate and previous deed description.

There is no known recorded or unrecorded survey plan of the above described premises.

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Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described as the third tract in a deed from Herbert C. Nelson to Herbert A. Nelson, dated March 11, 1996 and recorded with Worcester District Registry of Deeds in Book 17755, Page 343.

The above described property is represented upon Princeton Assessors Tax Map 4 as Parcel 27.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Herbert A. Nelson	$ 103,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $103,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.2 acres of land owned by Louise Ann Heighton, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $60,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-1402.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.2 acres of land owned by Louise Ann Heighton, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, April 16, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northwesterly side of the road leading from Sterling to Princeton, known as Princeton Road, or Route 62, more particularly bounded and described as follows:

Beginning at the southeasterly corner of the parcel herein being described at a point in the northwesterly line of the 1931 Worcester County Highway Record Layout of Princeton Road-Route 62, at a Worcester County Highway bound between Stations 25 and 26 of said record layout, and at the southwesterly corner of land, formerly of Henry Waters, now or formerly, of Wallace Campbell;

Thence N. 13° 37′ 18" W., 150.0 feet, partially by land, now or formerly, of Wallace Campbell, and partially by land, now or formerly, of Richard H. & Ethel F.M. Taubert, to a gun barrel at the northeast corner of the parcel herein being described, and land, formerly of the Wronski Land Trust, R. David Schelzi, Trustee, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 87° 53′ 59" W., 344.00 feet, by land of the Commonwealth of Massachusetts, MDC, to a gun barrel at the northwesterly corner of the parcel herein being described;

Thence S. 13° 22′ 38" E., 150.00 feet, by land of the Commonwealth of Massachusetts, MDC, to a gun barrel in the northwesterly line of Princeton Road-Route 62, and the southwesterly corner of the parcel herein being described;

Thence Northeasterly by the northwesterly line of Princeton Road-Route 62, along the arc of a curve to the right, having a radius of 1504.05 feet, an arc distance of 350.00 feet ±, said arc being subtended by a central angle of 19° 27′ 09", to a point of tangency, to the first mentioned point at the southeasterly corner of the parcel herein described, and land, now or formerly, of Wallace Campbell, being the point and place of beginning.

Containing 1.20 acres, more or less, by previous deed description.

In addition to previous deed descriptions, and the 1931 Worcester County Highway Record Layout of Princeton Road-Route 62, the above description is based upon information shown upon a plan entitled "Plan Of Land In Sterling Prepared For Commonwealth Of Massachusetts Metropolitan District Commission", dated 25 July 1990, prepared by Berry Engineering, Inc., a copy of which is on file at the Headquarters of the Metropolitan District Commission, in its Real Property Office, located at 20 Somerset Street, Boston, MA. 02108

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Princeton Road-Route 62 which may be held by the supposed owner, as a result of the ownership of the above described property, and being the same premises described in a deed from John R. Heighton to Louise Ann Heighton, dated February 7, 1992 and recorded with Worcester District Registry of Deeds in Book 13956, Page 277.

The above described property is represented upon Sterling Assessors Tax Map 50 as Parcel 6.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Louise Ann Heighton	$ 60,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $60,000.00, together with such damages and costs as required under General Laws Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 12:20 p.m., to meet on Thursday, April 23, 1998, at 9:00 a.m.

William J. Cusolito
Secretary

Record of the Three Thousand Eight Hundred and Forty Eighth (3848th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 23, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, and Wu.

The Records of the Commission Meeting held on April 2, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Sacco, March 19, recommending approval of the action of Acting Director Faucher resulting in the following on Contract No. P85-1341-C1A, with John J. Paonessa Co., Inc., for Rehabilitation of Lynn Shore Drive -

Alteration No. 10 **$100,833.00**
Alternate Replacement of the Nahant Retaining Wall

Extra Work Order No. 6 **$ 59,268.85**
Closure of Temporary Stacey Brook Culvert

Extra Work Order No. 7 **$ 13,111.43**
Demolition of the Sanitary Building

REVISIONS IN QUANTITIES

Item No. 002-020 - Class A Trench Exc.	- $ 34,250.00
Item No. 012-020 - Class I Bit. Pave.	- $ 9,000.00
Item No. 012-030 - Bituminous Patch	- $127,500.00
Item No. 016-010 - Granite Curb R & R	- $ 11,200.00
Item No. 018-010 - Precast Meter Vault	- $ 7,500.00
Item No. 027-010 - Reflect. Drum w/FL	- $ 6,000.00
Item No. 028-062 - Pave. Mark. Rem.	- $ 2,000.00
Item No. 030-010 - Light Pole - MDC	- $ 32,000.00
Item No. 030-011 - Luminaire - MDC	- $ 9,600.00
Item No. 030-020 - Lighting Cable #1	- $ 31,200.00
Item No. 030-021 - Lighting Cable #6	- $ 6,300.00
Item No. 030-030 - Light Load Center	- $ 5,000.00
Item No. 031-010 - Handhole 18"x24"	- $ 10,400.00
Item No. 032-010 - 2" Elec. Conduit	- $ 1,000.00
Item No. 032-020 - 4" Elec. Conduit	- $ 64,000.00
Item No. 036-010 - Light Standard Found.	- $ 10,850.00
Item No. 040-010 - Engineers Office	- $ 24,000.00
Item No. 040-020 - Transportation Veh.	- $ 16,000.00
Item No. 052-010 - Concrete Excavation	- $ 37,500.00
Item No. 058-200 - Concrete Parapet	- $ 41,250.00
Total =	**$486,550.00**

At no increase in Contract cost as the Alteration, Extra Work Orders and Revisions in Quantities will be offset by unused quantities in other items.

The Commission V O T E D: to approve action of Acting Director Faucher which resulted in Alteration No. 10, Extra Work Orders No. 6 and No. 7 and Revisions in Quantities, on Contract No. P85-1341-C1A.

The Commission further V O T E D: to approve Alteration No. 10, in the amount of $100,833.00.

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The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $59,268.85.
The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of $13,111.43.
The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of $486,550.00.

1. Report of Messrs. Faucher and Griffin, April 16, recommending authorization for R.H.D. Construction Co., Inc., to engage the services of Invernizzi Construction Corp., as sub-contractor for Item No. 008 - Bituminous Concrete Paving - at a cost of $62,000.00, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown.
(At no additional Contract cost).
The Commission V O T E D: authorization for R.H.D. Construction Co., Inc., to engage the services of Invernizzi Construction Corp., as sub-contractor for Item No. 008 - Bituminous Concrete Paving - at a cost of $62,000.00, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown.

2. Report of Messrs. Faucher and McCalla, April 17, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1960-M1A, for Maintenance of Prime Power and Emergency Generators at Various Locations.
Estimated Cost - $80,000.00.
Funding for the two year project is contingent upon sufficient funds being made available through the annual budgetary appropriation process.
Account No. FY1999 - 2440-0010 - $40,000.00.
Account No. FY2000 - 2440-0010 - $40,000.00.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1960-M1A, for Maintenance of Prime Power and Emergency Generators at Various Locations.

3. Report of Messrs. Faucher and Soroka, March 23, recommending the following on Contract No. P96-1838-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems - Charles River Basin Districts -
(a) That work be accepted as completed as of February 13, 1998.
(b) That Estimate No. 25 (Final), in the amount of $4,742.88, be approved for payment.
(c) That reserve, in the amount of $25,728.60, be approved for payment.
(Basis of Award - $455,950.00)
(Amount to Date - $514,572.00)
(Contract Performance Rating - 4.17)
(EEO Compliance - 3.80)
The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., Contractor under Contract No. P96-1838-M1A, be and hereby is accepted as completed as of February 13, 1998.
The Commission further V O T E D: to approve Estimate No. 25 (Final), in the amount of $4,742.88, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $25,728.60, for payment.

1. Report of Messrs Faucher, Brooks and Kane, April 17, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P98-1959-C1A, for Nantasket Beach Centennial Renovations, Hull.
Estimated Cost - $183,500.00.
Time for Performance - sixty days.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1959-C1A, for Nantasket Beach Centennial Renovations, Hull.

2. Report of Messrs. Faucher, Brooks, Kane and Haider, April 9, on bids for Rehabilitation of Waiting Room Facility, Hull, Contract No. P97-1914-C3A.
(Messrs. Faucher, Brooks, Kane and Haider recommend acceptance of the lowest bid received, that of ABC Contractors, Inc., of $169,450.00).
The Commission V O T E D: to accept the lowest bid received, that of ABC Contractors, Inc., of $169,450.00.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Mr. McGinn, March 12, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1723, conveying N.E. 1/8 Lot No. 1140 to Rose Segur.
The Commission V O T E D: Approved.
The Secretary submitted for signature Quabbin Park Cemetery Deed No. Q-1723, dated April 23, 1998, which was signed by the Commissioner and two Associate Commissioners.

Adjourned at 9:55 a.m., to meet on Thursday, April 30, 1998, at 9:00 a.m.

William F. Cusack
Secretary

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Record of the Three Thousand Eight Hundred and Forty Ninth (3849th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 30, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr and Elkort.

The Records of the Commission Meeting held on April 16, 1998 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

1. Amendment No. 1, dated April 30, 1998, to Contract-Agreement No. P95-1804-D1A, with Sasaki Associates, for Dorchester Shores Beaches Restoration Program.

2. Amendment to Contract-Agreement No. WM95-051-S1A, with ENSR (Fugro East, Inc.), for Gates Brook Treatment Feasibility, did not arrive in time for execution by the Commission. Therefore, the Commission V O T E D: to authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.

3. Contract No. P97-1918-C1A, dated April 30, 1998, with D & R General Contracting, Inc./MDR Construction Co., Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing Various Locations Throughout the Metropolitan Area.

4. Contract No. P97-1920-C1A, dated April 30, 1998, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher, Brooks and Haider, March 23, recommending approval of the action of Acting Director Faucher resulting in the following on Contract No. P97-1895-C1A, with P. J. Kennedy & Sons, Inc., for Installation of New HVAC Systems at Bajko, Bryan and Connery Skating Rinks -

EXTRA WORK ORDERS

Extra Work Order No. 5	**$ 2,081.24**
Furnish and install block wall and steel door - Bryan Rink	
Extra Work Order No. 6	**$ 5,057.59**
Furnish and install 2 block walls and 2 steel doors at the shower rooms - Bryan Rink	
Extra Work Order No. 7	**$ 3,046.74**
Furnish and install 3 mosaic tile floors at shower rooms - Bryan Rink	
Extra Work Order No. 8	**$ 3,361.92**
Remove 4 louvers, block and brick openings - Bryan Rink	
Extra Work Order No. 9	**$ 2,690.00**
Furnish and install 2 wall mounted exhaust fans - Bryan Rink	

Extra Work Order No. 10 **$ 7,900.00**
Furnish and install 4 roof top exhaust fans and controls for the shower rooms - Bajko Rink

Extra Work Order No. 11 **$18,830.24**
Furnish and install additional duct work to relocate roof top unit to ground level.

Extra Work Order No. 12 **$ 9,396.33**
Furnish and install concrete pad, chain link fence, electrical work on relocated Dehumidification unit, Bajko Rink

Total = $52,364.06

SUB-CONTRACTORS

Harrison Door & Window	$12,895.00
United HVAC Co., Inc.	$17,923,33
Gordon Industries, Inc. and Boston Gate	$ 3,150.00
Tony's Fence Co., Inc.	$ 1,504.83
M.P. Kisiel Electric	$ 5,434.89

Account No. 2440-9800.

Messrs. Faucher, Brooks and Haider, further recommend approval of an extension of time from October 20, 1997 to April 30, 1998.

The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order Nos. 5, 6, 7, 8, 9, 10, 11 and 12, on Contract No. P97-1895-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $2,081.24.

The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $5,057.59.

The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of $3,046.74.

The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of $3,361.92.

The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of $2,690.00.

The Commission further V O T E D: to approve Extra Work Order No. 10, in the amount of $7,900.00.

The Commission further V O T E D: to approve Extra Work Order No. 11, in the amount of $18,830.24.

The Commission further V O T E D: to approve Extra Work Order No. 12, in the amount of $9,396.33.

The Commission further V O T E D: to approve the action of Acting Director Faucher which resulted in engaging the services of the following sub-contractors on Contract No. P97-1895-C1A - Harrison Door & Window - $12,895.00, United HVAC Co., Inc. - $17,923,33, Gordon Industries, Inc. and Boston Gate - $3,150.00, Tony's Fence Co., Inc. - $1,504.83, M.P. Kisiel Electric - $5,434.89.

The Commission further V O T E D: to approve the action of Acting Director Faucher which resulted in an Extension of Time from October 20, 1997 to April 30, 1998 on Contract No. P97-1895-C1A, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Park, April 14, requesting that the Commission Amend its vote of March 12, which approved and authorized advertisement of Contract No. P98-1952-C1A, to

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Furnish and Install Three (3) Steel In-Line Dasherboard Systems for Outdoor Rollerblading, by increasing the approved construction cost from $210,000.00 to $240,000.00.
Account No. 2440-8952.
The Commission V O T E D: to Amend its vote of March 12, which approved and authorized advertisement of Contract No. P98-1952-C1A, to Furnish and Install Three (3) Steel In-Line Dasherboard Systems for Outdoor Rollerblading, by increasing the approved construction cost from $210,000.00 to $240,000.00, as recommended by Messrs. Faucher, Brooks and Park in their report of April 14, 1998.

1. Report of Messrs. Faucher and Jackson, April 22, on bids for Reconstruction of Richard T. Artesani Playground, Brighton, Contract No. P97-1870-C3A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of D & R General Contracting/MDR Construction Co., Inc., of $649,500.00).
The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting/MDR Construction Co., Inc., of $649,500.00.

2. Report of Messrs. Faucher, Carrigan and Machado, April 22, on bids for Installation of Closure Gates, Guard Rail and Fencing at Various Locations, Contract No. P97-1919-C1A.
(Messrs Faucher, Carrigan and Machado recommend acceptance of the lowest bid received, that of DeLuca Fence Company, Inc., of $572,535.08).
Messrs. Faucher and Machado further recommend that the Commission execute the Contract.
The Commission V O T E D: to accept the lowest bid received, that of DeLucca Fence Co., Inc., of $572,535.08.
The Secretary then submitted for signature Contract No. P97-1919-C1A, dated April 30, 1998, with DeLucca Fence Co., Inc., which was signed by the Commissioner and two Associate Commissioners.

3. Report of Messrs. Faucher and Higgott, April 21, requesting approval of Amendment No. 2, to Contract-Agreement No. P82-1112-D2A, with Hayden/Wegman, Inc., for design of Peddocks Island Pier Replacement, which calls for an extension of time from June 30, 1998 to January 30, 1999.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Griffin, April 23, recommending authorization for R.H.D. Construction Co., Inc., General Contractor, to engage the services of Barlite Construction, Inc., as sub-contractor for Item 027 - granite curb - at a cost of $16,000.00, on Contract No. PL82-1022-C1A, for Revere Landing Park.
(At no additional Contract cost).
The Commission V O T E D: authorization for R.H.D. Construction Co., Inc., General Contractor, to engage the services of Barlite Construction, Inc., as sub-contractor for Item 027 - granite curb

- at a cost of $16,000.00, on Contract No. PL82-1022-C1A, for Revere Landing Park, as recommended by Messrs. Faucher and Griffin in their report of April 23, 1998.

1. Report of Messrs. Faucher and Griffin, April 23, recommending approval of Alteration No. 3 - for planting Items listed in section No. 020 - at an increase in cost of $14,058.75, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park.
Account No. 2449-6033.
The Commission V O T E D: to approve Alteration No. 3, in the amount of $14,058.75.

2. Report of Mr. Faucher and Mrs. Graves-Jones, March 23, recommending the following on Contract No. P96-1836-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts -
(a) That work be accepted as completed as of February 13, 1998.
(b) That Estimate No. 25 (Final), in the amount of $4,911.58, be approved for payment.
(c) That reserve, in the amount of $5,411.78, be approved for payment.
(Basis of Award - $431,105.00)
(Amount to Date - $473,440.01)
(Contract Performance Rating - 4.17)
(EEO Compliance - 3.60)
The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., Contractor under Contract No. P96-1836-M1A, be and hereby is accepted as completed as of February 13, 1998.
The Commission further V O T E D: to approve Estimate No. 25 (Final), in the amount of $4,911.58, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,411.78, for payment.

3. Report of Mr. Faucher and Mrs. Graves-Jones, April 23, recommending authorization for Coviello Electric & General Contracting Co., Inc., General Contractor, to engage the services of the following sub-contractors on Contract No. P98-1925-M1A, for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts -

Marli Contracting Corp. or Camdele Construction Co.

Item No. 011-010 - Cement Concrete Foundation - Removed and Discarded - $ 3,000.00
Item No. 011-020 - Cement Concrete Foundation - Octagonal Base - $ 3,000.00

Adgreene Enterprises, Inc.

Item No. 019-010 - Painting of Traffic Control Devices - Lump Sum - $40,000.00

(At no additional Contract Cost).
The Commission V O T E D: authorization for Coviello Electric & General Contracting Co., Inc., General Contractor, to engage the services of the following sub-contractors on Contract No. P98-1925-M1A, for Servicing Traffic Signal and Control Systems,

Old Colony and Blue Hills Districts - Marli Contracting Corp. or Camdele Construction Co., as sub-contractor for Item No. 011-010 - Cement Concrete Foundation, Removed and Discarded, at a cost of $3,000.00 and Item No. 011-020 - Cement Concrete Foundation Octagonal Base, at a cost of $3,000.00. Adgreene Enterprises, Inc., as sub-contractor for Item No. 019-010 - Painting of Traffic Control Devices, at a lump sum cost of $40,000.00.

1. Report of Mr. Faucher and Ms. Pomorska, April 23, recommending authorization for Coviello Electric & General Contracting Co., Inc., General Contractor, to engage the services of the following sub-contractors on Contract No. P98-1926-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts -

Marli Contracting Corp. or Camdele Construction Co.

Item No. 011-010 - Cement Concrete Foundation - Removed and Discarded - $ 5,000.00

Item No. 011-020 - Cement Concrete Foundation - Octagonal Base - $ 5,000.00

Adgreene Enterprises, Inc.

Item No. 019-010 - Painting of Traffic Control Devices - Lump Sum - $30,000.00

(At no additional Contract Cost).

The Commission V O T E D: authorization for Coviello Electric & General Contracting Co., Inc., General Contractor, to engage the services of the following sub-contractors on Contract No. P98-1926-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts - Marli Contracting Corp. or Camdele Construction Co., as sub-contractor for Item No. 011-010 - Cement Concrete Foundation, Removed and Discarded, at a cost of $5,000.00 and Item No. 011-020 - Cement Concrete Foundation Octagonal Base, at a cost of $5,000.00. Adgreene Enterprises, Inc., as sub-contractor for Item No. 019-010 - Painting of Traffic Control Devices, at a lump sum cost of $30,000.00.

2. Report of Messrs. Faucher and McCalla, April 22, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P98-1961-M1A, for Electrical and Electronic Systems Maintenance Work at Sports Facilities, Recreational Areas and MDC Buildings throughout the Metropolitan District FY99 and FY00.
Estimated Cost - $400,000.00.
Account No. 2440-0010 - FY99 - $200,000.00.
Account No. 2440-0010 - FY00 - $200,000.00.
(Funding for both Fiscal Years is contingent upon sufficient funds being available through the annual budgetary appropriation process).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P98-1961-M1A, for Electrical and Electronic Systems Maintenance Work at Sports Facilities, Recreational Areas and MDC Buildings throughout the Metropolitan District FY99 and FY00.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, April 23, submitting for adoption the Land Disposition Policy for Watershed Lands, dated April 30, 1998, and effective upon the date of Commission approval.
The Commission V O T E D: to adopt the Land Disposition Policy for Watershed Lands, dated April 30, 1998, and effective as of that date.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, April 24, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following three Contract-Agreements for Park Land Acquisition Program FY98 - Open Order Contract No. RP98-0003 - Professional Real Estate Title Examination Services -

NAME	VALUE	PARCELS
George S. Norton, Esq.	$10,770.00	3
Nancy Mahoney Harris, Esq.	$ 5,400.00	3
Law Offices of Peter E. Flynn, P.C.	$ 3,375.00	5
	$19,545.00	11

Account No. 2441-9960.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract-Agreements with George S. Norton, Esq., Nancy Mahoney Harris, Esq. and the Law Offices of Peter E. Flynn, P.C., for Park Land Acquisition Program FY98 - Open Order Contract No. RP98-0003 Professional Real Estate Title Examination Services.

2. Report of Mr. Jewett, April 24, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following two Contract-Agreements for Park Land Acquisition Program FY98 - Open Order Contract No. RP98-0003 - Professional Real Estate Chapter 21E Study Services -

NAME	VALUE	PARCELS
Coneco Environmental	$ 6,000.00	4
Vanasse Hangen Brustlin, Inc.	$ 9,500.00	1
	$15,500.00	5

Account No. 2441-9960.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract-Agreements with Coneco Environmental and Vanasse Hangen Brustlin, Inc., for Park Land Acquisition Program FY98 - Open Order Contract No. RP98-0003 - Professional Real Estate Chapter 21E Study Services.

3. Report of Mr. Jewett, April 24, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following four Contract-Agreements for Park Land Acquisition Program FY98 - Open Order Contract No. RP98-0003 - Professional Real Estate Appraisal Services -

NAME	VALUE	PARCELS
Reynolds Company	$ 41,250.00	5
Peter S. Emerson and Associates	$ 40,900.00	8
Meredith & Grew, Inc.	$ 22,300.00	8
Ellen Harding Anderson	$ 37,500.00	5
	$141,950.00	26

Account No. 2441-9960.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract-Agreements with Reynolds Company, Peter S. Emerson and Associates, Meredith & Grew, Inc., and Ellen Harding Anderson, for Park Land Acquisition Program FY98 - Open Order Contract No. RP98-0003 Professional Real Estate Appraisal Services.

1. Report of Mr. Jewett, April 24, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, amendments to the following two Contract-Agreements for Watershed Land Acquisition Program FY98 - Open Order Contract No. RP98-0001 - Professional Real Estate Engineering Services -

NAME	VALUE	PARCELS
Daylor Consulting Group, Inc.	($151,900.00) +45,400.00 $197,300.00	7
Matlock Associates	($13,525.00) +6,910.00 $20,435.00	3

Account No. 2420-1402.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Amendments to Contract-Agreements with Daylor Consulting Group, Inc. and Matlock Associates, for Watershed Land Acquisition Program FY98 - Open Order Contract No. RP98-0001 - Professional Real Estate Engineering Services.

2. Report of Mr. Brown, April 6, on behalf of an Administrative Hearing Committee recommending that the Commission assess a financial sanction against G.V.W., Inc., in the amount of $40,000.00, for non-compliance with the MBE/WBE contract provisions, on Contract No. P97-1874-C1A, for Improvements to the William A. Connell Rink and Pool, Weymouth.
Attorney Robert D. City, of the Law Firm of City, Hayes, Meagher & Dissette, P.C., representing G.V.W., Inc., presented the Commission with a ten page document, dated April 30, 1998, titled "Memorandum of The Contractor G.V.W., Inc., In Opposition To The Request For Assessment of Sanctions".
Attorney City asked that the Commission review his memorandum concerning the assessment of sanctions prior to acting on the matter. He then stated that the issue of not informing the MDC of MBE problems in a timely manner was a sin of omission rather than commission, and that G.V.W., Inc., was not acting in bad faith.
Attorney City stated that G.V.W., Inc., did not know that United Welding and Technology, Inc., was not going to perform the work called for under terms of the Contract. Efforts to reach the sub-contractor were ongoing and unsuccessful, he explained.
Associate Commissioner Carr stated that it appeared that the

biggest problem with the contract was timely communication between G.V.W., Inc. and the MDC. He then stated that the MBE participation during the project was not what was called for under terms of the Contract and that the Commission was not made aware of the situation by the Contractor as the project progressed.
Associate Commissioner Carr noted that the Commission had just received Attorney City's memo and had not had a chance to review the document. In addition, with only two Associate Commissioners in attendance at today's meeting, he suggested that the matter be held over until the next Commission meeting. He further suggested that the Commission direct Michael McDonald, Acting General Counsel, and appropriate staff, to continue discussions with Attorney City regarding the matter in an attempt to reconcile differences between G.V.W., Inc., and MDC staff.
At this point, the Commission V O T E D: to Hold Over the item wile Mr. McDonald and staff attempt to reconcile the differences between G.V.W., Inc. and Mr. Willie Brown, Director of EEO/AA.

1. Report of the Concession Selection Committee, April 29, recommending that the Commission rescind its vote of April 16, 1998, awarding the food service concession at Ponkapoag Golf Course to Arrowhead Foods, Inc.
The Concession Selection Committee further requests that the Commission reject all other proposals submitted for the concession.
The Concession Selection Committee further requests that it be authorized to solicit new proposals for the concession.
Mr. Dana P. Thorpe, President of Arrowhead Foods, Inc., stated that he was opposed to the solicitation of new proposals for the operation of a concession at Ponkapoag Golf Course. He then noted that due to a prior commitment, his Attorney was not available for today's Commission meeting.
Associate Commissioner Elkort noted that she would ordinarily abstain from voting on this item, but since a vote is required and only two Associate Commissioners were present, she was compelled to vote or there would be a further delay until the matter would be taken up once again.
Associate Commissioner Carr spoke of a letter, dated April 27, 1998, from Michael W. Smith, Ph.D., of the Law Firm of Fagan, Froio, Galla, & Smith, L.L.C., in which he claimed that the Concession Permit Agreement ("Agreement") presented to Arrowhead Foods, Inc., materially and substantially differed from the RFR that Arrowhead Foods, Inc., based its bid upon. Attorney Smith listed what he felt were fourteen differences in the Agreement.
Associate Commissioner Carr then noted that changes are sometimes made between the time an RFR is submitted and a Permit is executed. In response to a question from Associate Commissioner Carr, Mr. Jewett stated that the Commission reserves the right to make changes before a Permit is executed. This was done, he explained, with the Hatch Shell Permit.
Associate Commissioner Carr noting that most of the fourteen items in question appear to be negotiable, suggested that the parties get together and attempt to negotiate the differences. If differences cannot be successfully negotiated, Associate

Commissioner Carr suggested that the Commission vote to solicit new proposals for the operation of the Ponkapoag Golf Course concession.
Associate Commissioner Carr then stated that by holding over the matter Associate Commissioner Elkort would be free from voting on the matter.
The Commission V O T E D: to Hold Over the matter until the next Commission meeting. During that time, an attempt will made to negotiate the differences.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, April 24, submitting for approval expenditure of $200,000.00 in Open Order Contract No. RP98-0003, for Appraisal, Title, Engineering and Related Services for Park Land Acquisition FY98 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.
Account No. 2441-9960, under Section 2 of Chapter 15 of the Acts of 1996 (Open Space Bond).
The Commission V O T E D: Approved.

Adjourned at 10:10 a.m., to meet on Thursday, May 16, 1998, at 9:00 a.m.

William J. Cusack
Secretary

A J BOOKBINDER

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WALTHAM, MA 02154
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